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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. WALDEN of Oregon).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 9, 2002.

I hereby appoint the Honorable GREG WALDEN to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

My sisters and brothers, let us pray for peace in the Middle East.

Lord God of Passover and Christ's Paschal Mystery, grant peace to the Israeli and Palestinian peoples. You have told us, ''When you make the two one, you will become the children of God; and when you say, 'Mountain move away,' it will move.''

Deepen faith in You, O Lord, at this moment in history; that Your justice and peace will bless the land that all those of Abrahamic faith call holy.

Without compromising faith in Your loving providence and faithful to religious practice, may the people of the Middle East be rooted in the common purpose and the beauty of human life revealed in Your holy scriptures.

By their faithfulness to the prophetic wisdom contained in their respectful traditions, lead them to compromise false expectations, boundaries and even the land of faithful parents to bring about the peace and unity promised by You, O Lord.

May the freedom of Passover and the new life of Easter end the violence of armaments, language, and age-old sentiments, so that the promised land may bring forth people of promise. For this will restore around the world hope in You, O Lord, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. PITTS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken.

Mr. PITTS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested.

S. 1222. An act to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the ''Frank Sinatra Post Office Building''.

S. 1321. An act to authorize the construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma.

S. 1499. An act to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 21, 2002.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 21, 2002 at 12:07 p.m.:

That the Senate passed without amendment H.R. 3986.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 22, 2002.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 21, 2002 at 5:05 p.m.:

That the Senate passed without amendment H. Con. Res. 360.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 22, 2002.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 22, 2002 at 10:00 a.m.:

That the Senate passed without amendment H.R. 3985.

That the Senate passed S. Res. 231.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 25, 2002.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 25, 2002 at 11:30 a.m.:

That the Senate passed without amendment H.R. 1432.

That the Senate passed without amendment H.R. 1748.

That the Senate passed without amendment H.R. 1749.

That the Senate passed without amendment H.R. 2577.

That the Senate passed without amendment H.R. 2876.

That the Senate passed without amendment H.R. 2910.

That the Senate passed without amendment H.R. 3072.

That the Senate passed without amendment H.R. 3379.

That the Senate passed without amendment H. Con. Res. 339.

That the Senate passed without amendment H. Con. Res. 361.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule 1, Speaker pro tempore WOLF signed the following enrolled bills on Monday, March 25, 2002:

H.R. 2356, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform;

H.R. 3985, to amend the act entitled ''An Act to Authorize the Leasing of Restricted Indian Lands for Public, Religious, Educational, Recreational, Residential, Business, and other purposes Requiring the Grant of Long-term Leases,'' approved August 9, 1955, to provide for binding arbitration clauses in leases and contracts related to reservation lands of the Gila River Indian community;

H.R. 3986, to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001;

And the following enrolled bills on Thursday, March 28, 2002:

H.R. 1432, to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the ''Major Lyn McIntosh Post Office Building;''

H.R. 1748, to designate the facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, as the ''Tom Bliley Post Office Building;''

H.R. 1749, to designate the facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, as the ''Herbert H. Bateman Post Office Building;''

H.R. 2577, to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the ''Bob Davis Post Office Building;''

H.R. 2876, to designate the facility of the United States Postal Service located in Harlem, Montana, as the ''Francis Bardanouve United States Post Office Building;''

H.R. 2910, to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building;''

H.R. 3072, to designate the facility of the United States Postal Service located at 125 Main Street in Forest City, North Carolina, as the ''Vernon Tarlton Post Office Building;''

And H.R. 3379, to designate the facility of the United States Postal Service located at 375 Carlls Path in Deer Park, New York, as the ''Raymond M. Downey Post Office Building.''

COMMUNICATION FROM STAFF ASSISTANT OF HON. RICHARD A. GEPHARDT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Christopher Raymond, staff assistant of the Honorable RICHARD A. GEPHARDT, Member of Congress:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, April 5, 2002.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

CHRISTOPHER RAYMOND,
Staff Assistant.

COMMUNICATION FROM LEGISLATIVE CORRESPONDENT OF HON. NANCY PELOSI, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Nathaniel Barr, legislative correspondent of the Honorable NANCY PELOSI, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 5, 2002.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

NATHANIEL BARR,
Legislative Correspondent.

COMMUNICATION FROM STAFF ASSISTANT OF HON. RICHARD A. GEPHARDT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jama Adams, staff assistant of the Honorable RICHARD A. GEPHARDT, Member of Congress:

WASHINGTON, DC,
April, 5, 2002.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

JAMA ADAMS,
Staff Assistant.

APPOINTMENT OF MEMBER TO SOCIAL SECURITY ADVISORY BOARD

The SPEAKER pro tempore. Without objection, and pursuant to section 703

of the Social Security Act (42 U.S.C. 903) as amended by section 103 of Public Law 103–296, the Chair announces the Speaker's appointment of the following member on the part of the House to the Social Security Advisory Board to fill the existing vacancy thereon:

Mrs. Dorcas R. Hardy, Spotsylvania, Virginia.

There was no objection.

TAX FACTS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, 6 days from now millions of Americans will be scrambling to get their Federal income taxes done. Every year at this time we are reminded how much of a burden the American tax payer bears. Here are some facts: 10 years ago the IRS said it took the average person 9½ hours to complete a 1040 form. Today it takes 13 hours. That is enough time to play four baseball games. This year it will cost Americans about $194 billion just to comply with the tax code, enough to buy 4.7 million brand-new Cadillacs. The IRS employs over 104,000 people. That is four times as many people that work for the FBI.

Mr. Speaker, if there is a lesson to learn from all of this it is this: that taxes will keep going up and up if we do not constantly fight to keep them down.

In 1913, the first year of the Federal income tax, the top rate was 7 percent and that was the rate for millionaires. Today the top rate is almost 40 percent.

The American people need more tax relief, tax reform and IRS reform; and I urge my colleagues to make this a priority this year.

CONGRATULATIONS TO ILLINOIS HIGH SCHOOL BASKETBALL TEAMS

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, as we return from recess, all of us saw a great deal of basketball; and I want to congratulate three outstanding high schools in my district for having won championships: Westinghouse, State of Illinois Boys' Championship; Providence St. Mel, Elite 8 Illinois high school regional champions. And I might add that 95 percent of all the students at this school go to college. I would also like to give accolades to Marshall High School for winning the city of Chicago's girls' championship under the leadership of Mr. Pitman and Dorothy Gaiter, who is the winningest female basketball coach in the United States of America. I congratulate all of them.

FN MANUFACTURING, A NATIONAL ASSET

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, Operation Anaconda has been successfully concluded, and while we are thankful for the courage and valor of our military in the field, we also owe thanks to those Americans who provide the weapons our troops need, which made this victory and future victories possible.

Last week I toured a national asset in the Second Congressional District of South Carolina, FN Manufacturing of Columbia. This company makes over 75 percent of the machine guns, rifles and other small arms of the U.S. Armed Forces. These are the finest infantry weapons ever made: rugged, dependable and effective.

Five hundred professional South Carolinians, skilled machinists, fabricators, designers, and engineers are dedicated to maintaining their world-famous high qualities. I met in person the hard-working FN employees who are making a difference for peace through strength.

America is fortunate to have a proven supplier whose products are clearly needed and highly praised by those in harm's way as we proceed to victory in the war on terrorism.

PENSION REFORM

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, as a member of the Committee on Education and the Workforce, I can report that the pension reform bill that passed on a partisan vote from our committee does not help employees. Instead, big business is allowed to keep a two-tiered pension system, a system that protects executives but leaves the employees to fend for themselves; and that is wrong.

I offered an amendment in committee, Mr. Speaker. That amendment ensures that hard-working Americans have the same pension protections as their company's executives. Democrats are fighting for employees who work hard, who play by the rules, who plan their retirement, not punish them. Not punish them by allowing executives to raise the pension funds and then get off scott-free.

I urge my Republican colleagues to join us as we fight to enact real pension reform parity between executives and their employees.

GOVERNOR GUINN'S VETO

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, yesterday Nevada made history. History, Mr. Speaker, because Nevada's Governor, Kenny Guinn, vetoed a Presidential decision, a decision to ship nuclear waste to the State of Nevada. Almost 2 decades ago when Nevada was given the right to cast this veto, we were under the impression that a recommendation on Yucca Mountain would be based on sound science, assuring the safety and security of Nevadans and every American.

Instead, the process has been riddled with bias, and the DOE recommendation was based on political expediency. For example, the DOE refuses to address the inherent problems that come with transporting the deadliest substance known to man through 43 States and for 3 decades to come.

Mr. Speaker, I applaud Governor Guinn's decision to stand up to the convoluted mess of special interests and corruption that the Department of Energy refers to as the Yucca Mountain project.

I urge my colleagues to join Nevada's Governor and delegation in opposing a project that is immeasurably dangerous to every American.

□ 1415

ISRAEL'S RIGHT TO DEFEND ITSELF AGAINST TERRORISM

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise today with a heavy heart, for like millions of Americans, I pray for the peace of Jerusalem almost every day, for the peace and security of the Jews and the Christians and the Muslims who call this ancient city their home. And, of course, we now know that after 18 months of suicide bombings and relentless terrorist attacks, Israel has begun to defend itself, rolling armaments and military personnel into the West Bank, and not without results, uncovering 15 explosive labs, arresting 600 fugitives from crime, and of course, there have been no recent suicide bombings since the incursion. Nevertheless, the President of the United States yesterday encouraged Israel to withdraw from the West Bank without delay.

Mr. Speaker, I rise today on behalf of hundreds of thousands of believing Christians and Jews across Indiana, and even many Muslims who pray for the peace of Jerusalem, and say let us stand with Israel without delay.

Let the word go forth from this Chamber, to this administration and to the world, that the citizens of this country and the overwhelming majority of this Congress says America stands with Israel.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Pursuant to clause

8 of rule XX the Chair will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6:30 p.m. today.

RECOGNIZING ELLIS ISLAND MEDAL OF HONOR AND COMMENDING NATIONAL ETHNIC COALITION OF ORGANIZATIONS

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 377) recognizing the Ellis Island Medal of Honor and commending the National Ethnic Coalition of Organizations.

The Clerk read as follows:

H. RES. 377

Whereas the Ellis Island Medal of Honor, established by the National Ethnic Coalition of Organizations in 1986, pays tribute to individuals of various ethnic origins who have distinguished themselves through their contributions to the United States;

Whereas the Ellis Island Medal of Honor has been awarded on a bipartisan basis to 6 Presidents and numerous Representatives and Senators;

Whereas the National Ethnic Coalition of Organizations is the largest organization of its kind in the United States, representing more than 5,000,000 family members and serving as an umbrella group for more than 250 organizations that span the spectrum of ethnic heritage, culture, and religion;

Whereas the mandate of the National Ethnic Coalition of Organizations is to preserve ethnic diversity, promote equality and tolerance, combat injustice, and bring about harmony and unity among all peoples;

Whereas the Ellis Island Medal of Honor is named for the gateway through which more than 12,000,000 immigrants passed in their quest for freedom of speech, freedom of religion, and economic opportunity;

Whereas the Ellis Island Medal of Honor celebrates the richness and diversity of American life by honoring not only individuals, but the pluralism and democracy that have enabled the Nation's ancestry groups to maintain their identities while becoming integral parts of the American way of life;

Whereas during the 15-year history of the Ellis Island Medal of Honor, more than 1,500 individuals from scores of different ethnic groups have received the Medal, and more than 5,000 individuals are nominated each year for the Medal; and

Whereas at the 2002 Ellis Island Medal of Honor ceremony in New York City, individuals from different ethnic groups will be honored for their contributions to the rescue and recovery efforts of September 11, 2001, the war against terrorism, and the enhancement of the Nation's homeland security: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the Ellis Island Medal of Honor for acknowledging individuals who live exemplary lives as Americans; and

(2) commends the National Ethnic Coalition of Organizations for its sponsorship of the Ellis Island Medal of Honor.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 377 recognizes the Ellis Island Medal of Honor and commends the National Ethnic Coalition of Organizations.

The National Ethnic Coalition of Organizations represents more than 5 million people and serves as an umbrella group for more than 250 organizations. Those groups span the spectrum of ethnic heritage, culture and religion. The mandate of the Coalition is to preserve ethnic diversity, promote equality and tolerance, combat injustice and bring about harmony and unity among all people.

The Ellis Island Medal of Honor was established by the National Ethnic Coalition of Organizations in 1986. It honors the many groups who have struggled and sacrificed to help build this great Nation. Past medal winners include six Presidents: Presidents Clinton, Bush, Reagan, Carter, Ford and Nixon. Senators, Congressmen, and Nobel Prize winners are also among the 1,500 people who have received Ellis Island Medals of Honor.

The Ellis Island Medal of Honor celebrates the richness and diversity of American life. The award honors more than just individuals. It honors the pluralism and democracy that have enabled our ancestry groups to maintain their identities while becoming integral parts of American life.

By honoring these individuals, we honor all those who share their origins. We acknowledge the contributions they and other groups have made to our country.

The 2002 Ellis Island Medals of Honor will be awarded on May 11. They will honor those individuals from different ethnic groups who contributed to the rescue and recovery efforts stemming from September 11. They will also honor those involved in the war against terrorism and the enhancement of our Nation's homeland security. I congratulate this year's honorees.

I want to commend the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform, and the gentleman from New York (Mr. RANGEL) for their sponsorship of this resolution and for their support of the Ellis Island Medal of Honor. I would also like to thank the gentleman from California (Mr. WAXMAN), the ranking member, for helping to bring this important resolution to the floor.

Mr. Speaker, our diversity and our tolerance are two uniquely American values that make this country great. During these troubled times of ethnic strife all around the world, these values are worth reflecting on and honoring in this country. I commend the National Ethnic Coalition of Organizations. I urge adoption of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I would consume.

Mr. Speaker, I am pleased to join with the gentleman from Virginia (Mr. TOM DAVIS) in consideration of this resolution.

This resolution, which recognizes the Ellis Island Medal of Honor and commends the National Ethnic Coalition of Organizations, NECO, encourages diversity and tolerance in American life. The mission of the NECO is to preserve ethnic diversity, promote equality and tolerance, combat injustice and bring about harmony and unity to all people.

To promote its mission, the NECO hosts the Ellis Island Medals Awards Gala, which honors Americans of various ethnic origins for their outstanding contributions to this country.

From 1892 to 1954, over 12 million immigrants entered the United States through the portal of Ellis Island, a small island in New York Harbor. Ellis Island is located in the upper bay just off the New Jersey coast, within the shadow of the Statue of Liberty.

From the very beginning of the mass migration that spanned 1880 to 1924, a group of politicians and nativists demanded increased restrictions on immigration. Laws and regulations such as the Chinese Exclusion Act, the Alien Contract Labor Law, and the institution of a literacy test tried to stem the tide of new immigrants to this country.

Ellis Island ceased to be a major entry point for immigrants in 1921 with the passage of Quota Laws and in 1924 with the passage of the National Origins Act. These restrictions were based upon a percentage system according to the number of ethnic groups already living in the United States as per the 1890 and 1910 Census.

It was an attempt to preserve the ethnic flavor of the ''old immigrants,'' those earlier settlers primarily from northern and western Europe. The perception existed that the newly arriving immigrants, mostly from southern and eastern Europe, were somehow inferior to those who came earlier.

It is appropriate then that Congress recognizes organizations like NECO and American citizens who recognize the importance of preserving ethnic diversity and fostering harmony and unity among all peoples.

Who decides whose identity, culture, or ethnicity is more important or has

more value? Who has that authority? No one. No human being has that authority.

We can, however, embrace our own cultures and those that are unknown and unfamiliar to us. America is a land of United States and of united peoples of various cultures and backgrounds. That is America's strength and greatest asset, and this resolution recognizes that.

It is hard to think of Ellis Island at any time without thinking of the words of Emma Lazarus when she wrote, Give me your tired, your huddled masses, teeming to be free.

Yes, Ellis Island has been a beacon of the openness of what America is seeking to become. I am proud to join in this resolution and would urge all of my colleagues to support it.

Mr. BURTON of Indiana. Mr. Speaker, it is with great pride that I rise today to express my appreciation to my colleagues in the House of Representatives who voted to pass H. Res. 377, a resolution that I introduced recognizing the Ellis Island Medal of Honor and commending the National Ethnic Coalition of Organizations (NECO).

NECO's annual medal ceremony and reception on Ellis Island in New York Harbor is the Nation's largest celebration of ethnic pride. Established in 1986 by NECO, the Ellis Island Medals of Honor pay tribute to the ancestry groups that comprise America's unique cultural mosaic. To date, approximately 1400 American citizens have received medals.

NECO is the largest organization of its kind in the U.S. serving as an umbrella group for over 250 ethnic organizations and whose mandate is to preserve ethnic diversity, promote ethnic and religious equality, tolerance and harmony, and to combat injustice, hatred and bigotry. NECO has a new goal in its humanitarian mission: saving the lives of children with life-threatening medical conditions. NECO has founded The Forum's Children Foundation, which brings children from developing nations needing life-saving surgery to the United States for treatment.

Ellis Island Medals of Honor recipients are selected each year through a national nomination process. Screening committees from NECO's member organizations select the final nominees, who are then considered by the Board of Directors. Past Ellis Island Medals of Honor recipients have included several U.S. Presidents, entertainers, athletes, entrepreneurs, religious leaders and business executives, such as Bill Clinton, Ronald Reagan, Jimmy Carter, Gerald Ford, George Bush, Richard Nixon, George Pataki, Mario Cuomo, Bob Hope, Frank Sinatra, Michael Douglas, Gloria Estefan, Coretta Scott King, Rosa Parks, Elie Wiesel, Muhammad Ali, Mickey Mantle, General Normal Schwarzkopf, Barbara Walters, Terry Anderson, Dr. Michael DeBakey, Senator JOHN MCCAIN, and Attorney General Janet Reno.

I would like to close by expressing my deepest gratitude to my good friends Bill Fugazy and Rosemarie Taglione and everyone associated with NECO and the Ellis Island Medal of Honor.

Mr. DAVIS of Illinois. Mr. Speaker, I have no other requests for time, and I yield back the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I urge adoption of this resolution.

Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 377.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. TOM DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ACQUISITION STREAMLINING IMPROVEMENT ACT

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3921) to amend the Clinger-Cohen Act of 1996 to extend until January 1, 2005, a program applying simplified procedures to the acquisition of certain commercial items, and to require the Comptroller General to submit to Congress a report regarding the effectiveness of such program.

The Clerk read as follows:

H.R. 3921

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Acquisition Streamlining Improvement Act''.

SEC. 2. EXTENSION OF PROGRAM APPLYING SIMPLIFIED PROCEDURES TO CERTAIN COMMERCIAL ITEMS; REPORT ON PROGRAM.

Section 4202 of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 110 Stat. 652; 10 U.S.C. 2304 note) is amended—

(1) in subsection (e), by striking ''January 1, 2003'' and inserting ''January 1, 2005''; and

(2) by adding at the end the following new subsection:

''(f) REPORT.—Not later than March 1, 2004, the Comptroller General shall submit to Congress a report on—

''(1) the effectiveness of the implementation of the provisions enacted by this section;

''(2) the extent to which the amount of time required to award contracts and the administrative costs associated with such contracts were reduced as a result of such implementation;

''(3) the extent to which prices under such contracts reflected the best value; and

''(4) any recommendations for improving the effectiveness of the implementation of the provisions enacted by this section.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Texas (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the leadership of the Chairman of the Committee on Government Reform on this important legislation, and I rise in strong support of H.R. 3921, the Acquisition and Streamlining Improvement Act of 2002. This bill extends for 2 years the Clinger-Cohen Act's successful pilot program for streamlined acquisitions of commercially available items.

The landmark Clinger-Cohen Act recognized the value of these streamlined procedures in its pilot program. They provide the foundation for establishing commercial-like responsiveness in this government when it buys commercial items.

The streamlined procedures apply for purchases of $5 million or less when a contracting officer reasonably expects that offers in response to a solicitation will only include commercial items. They permit the use of shorter deadlines, fewer burdensome government-unique requirements, and minimized administrative costs. In sum, they give contracting officers greater discretion to select the most advantageous offer for the government and to do so in a business-like manner.

This program has been very useful in a number of different areas. For example, the Pentagon recently used this authority to expedite repairs after the tragic terrorism attack on September 11. DOD set a goal of having the Pentagon restored by this fall, the 1-year anniversary of the attack. That is a very aggressive goal for such a complicated job. If one step in the process falls through, the entire project can fail.

One significant step at the Pentagon has been the effort to quickly restore what DOD calls the critical pathway to the damaged wing. DOD used the Clinger-Cohen pilot program authority to buy routers and switches to reestablish the communications grid. Using conventional procurement procedures to buy this equipment would have added extra months and would have jeopardized the whole project's timely completion by the 1-year anniversary.

The Clinger-Cohen pilot program helped DOD cut through the red tape of this critical pathway and on many other projects in the reconstruction. It also provides strategic management tools that the Department of Defense and other Federal agencies need to establish key acquisition projects in the

wake of terrorist attacks. Unfortunately, unless we act now, this important pilot program will expire at the end of this year.

Governmentwide, we see Federal agencies continuing to grapple with barriers to buying the best value in the goods and services they need. Agencies need better management approaches and improved purchasing tools, including the Clinger-Cohen pilot program authority, to help acquisition managers meet their agency goals.

Indeed, the Office of Federal Procurement Policy's survey of procurement executives showed that the streamlined acquisition authority in the Clinger-Cohen pilot has had a positive impact on the Federal procurement process. These procurement executives recommend continuing the program.

The Subcommittee on Technology and Procurement Policy, which I chair, and the Committee on Government Reform, under the leadership of the gentleman from Indiana (Mr. BURTON), have encouraged the development of commonsense approaches to acquisition policy.

I have also been working in the subcommittee with the minority and with the administration for broader acquisition reform. I recently introduced H.R. 3832, the Services Acquisition Reform Act, SARA, which directs the Federal Government to adopt management reform techniques modeled after those of the private sector.

I have also introduced H.R. 3426, the Federal Emergency Procurement Flexibility Act, with the gentleman from Pennsylvania (Mr. WELDON), my good friend, Senator JOHN WARNER and Senator FRED THOMPSON. This legislation came about after we were contacted last year by Governor Ridge and the Homeland Security Office about many of the ongoing barriers Federal agencies are experiencing in accessing the tools necessary to fight the war on terrorism. This legislation will provide agencies with the tools necessary to immediately access the latest commercial technologies, products and services to combat terrorism.

The bill before us today, H.R. 3921, the Acquisitions Streamlining Improvement Act of 2002, allows agencies to continue to use the Clinger-Cohen pilot program streamlined procedures for the purchase of commercial items.

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Mr. Speaker, if an item is available commercially and at a competitive price, the government should not have to go through a long, drawn-out procurement process. Where there are several competitors in a marketplace, and this competition is keeping prices in line, then streamlined acquisition procedures make sense, and save time and money. They make the government run smoother.

In closing, I thank the gentleman from Indiana (Mr. BURTON) who introduced this legislation. I thank the ranking member of the committee, the gentleman from California (Mr. WAXMAN), and the ranking member of the subcommittee, the gentleman from Texas (Mr. TURNER), for working with us to make good suggestions in moving this legislation forward. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Virginia (Mr. TOM DAVIS) for his leadership on this legislation. It is a continuing effort that we are making on our subcommittee that the gentleman from Virginia (Mr. TOM DAVIS) chairs to try to improve the process by which the Federal Government contracts for goods and services. It is, of course, a very challenging effort because it is important to not only improve and streamline the process, but at the same time ensure that the public's interest is protected, that the integrity of the contracting process is preserved, and that the taxpayers get the best deal for their dollars.

Under this bill, pilot authority that was previously granted under law is extended for an additional 2-year period of time, allowing acquisition procedures to be simplified for the purchase of commercial items up to $5 million in value. This authority began in 1996, and it was granted a 1-year extension in last year's defense authorization bill. The bill also requires the General Accounting Office to report to us on the effectiveness of this provision and to determine whether or not it has in fact reduced administrative time and costs in awarding contracts, while at the same time protecting the public's interest.

I thank the gentleman for including several suggestions that came from our side on this issue. I believe we have a strong bill as a result, and I am hopeful that this will once again prove to be a step forward in the acquisition process followed by our Federal agencies. It is part of an effort that also involves strengthening the training, the ability of the contracting officers who, under this legislation and similar legislation, have greater responsibility and less review by their acquisition superiors. The contracting officers are the key to making this effort successful, and I am confident that the efforts that are being made to strengthen contracting throughout the Federal Government will prove beneficial to all.

The decision to allow the use of simplified acquisition procedures to purchase commercial items up to $5 million in value is a well-intended effort to give our contracting officers more flexibility to do their job, thereby saving the taxpayers money and saving additional and unintended wastes of time and effort. This bill, by extending it for another period and sunsetting it, will give us the opportunity to be sure the bill is working as we have intended it.

Mr. Speaker, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Texas (Mr. TURNER) and the ranking member of the Committee on Government Reform (Mr. WAXMAN) for helping bring this bill to the floor. I think this bill is going to continue to improve acquisition responsiveness on the part of the Federal Government so that we can meet our goals, save the taxpayers money, and get the best value. I urge the adoption of this measure.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TURNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 3921.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WASHINGTON COUNTY, UTAH RECREATIONAL AND VISITOR FACILITIES

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3848) to provide funds for the construction of recreational and visitor facilities in Washington County, Utah, and for other purposes.

The Clerk read as follows:

H.R. 3848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FUNDS FOR RECREATIONAL AND VISITOR FACILITIES IN WASHINGTON COUNTY, UTAH.

The Secretary of the Interior, through the Bureau of Land Management, is authorized to grant to the State of Utah $2,500,000 for the development and construction of recreational and visitor facilities in the Sand Hollow Recreation Area located in Washington County, Utah, to fulfill the Federal commitment for the establishment and management thereof.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3848 provides funding for the development and construction of recreational facilities for the Sand Hollow Recreational Area in Washington County, Utah.

For several years, Washington County has been the fastest growing area in the State of Utah and a premier tourist destination. Several years ago, the Bureau of Land Management, Washington

County Water Conservancy District, and the Utah Division of State Parks, together with local leaders and stakeholders, teamed up to identify necessary recreational opportunities, programs and facilities in the Sand Hollow area near the City of St. George. In May, 2001, these agencies completed a cooperative management plan based on public input and involvement.

The Sand Hollow Area Recreation Management Plan envisions the development of two campgrounds, a full-service marina, a group campground, and four separate day-use pavilions to draw recreationists to a centralized location with diverse recreational opportunities. These facilities are essential to the success of this area, which has the potential to become the predominant recreation area in the region. The recreation area will thus serve as a buffer to urban growth in the St. George area.

The plan divided the initial funding equally between the three agencies, equating to a one-time share of $2.5 million for the Bureau of Land Management. These funds, together with the State and water district funds, will be used to implement the plan and construct the necessary facilities. This bill authorizes the Bureau of Land Management share of these one-time initial costs to the project. I urge my colleagues to support H.R. 3848.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 3848 is sponsored by the esteemed chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN). The bill was introduced just last month and was reported from the Committee on Resources with no hearings. As such, we have limited information on the proposal.

As the gentleman explained, the bill authorizes the Bureau of Land Management to make a grant to the State of Utah in the amount of $2.5 million for the development and construction of recreational and visitor facilities at a State recreational area in Washington County, Utah.

While the local BLM may have indicated their willingness to help fund this project, the agency lacks the authority to spend Federal funds on facilities on State lands.

However, we would not object to consideration of H.R. 3848 by the House today. The bill is solely an authorization and should not be construed as establishing a precedent for other requests for Federal funds.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3848.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CLARK COUNTY, NEVADA, PUBLIC LAND CONVEYANCE

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2937) to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range, as amended.

The Clerk read as follows:

H.R. 2937

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF PROPERTY TO CLARK COUNTY, NEVADA.

(a) FINDINGS.—The Congress finds that—

(1) the Las Vegas area has experienced such rapid growth in the last few years that traditional locations for target shooting are now too close to populated areas for safety;

(2) there is a need to designate a centralized location in the Las Vegas Valley where target shooters can practice safely; and

(3) a central facility is also needed for persons training in the use of firearms, such as local law enforcement and security personnel.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide a suitable location for the establishment of a centralized shooting facility in the Las Vegas Valley; and

(2) to provide the public with—

(A) opportunities for education and recreation; and

(B) a location for competitive events and marksmanship training.

(c) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall convey to Clark County, Nevada, subject to valid existing rights, for no consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (d).

(d) LAND DESCRIPTIONS.—The parcels of land to be conveyed under subsection (c) are the parcels of land that are described as follows:

(1) Approximately 320 acres of land in Clark County, Nevada, in S½, sec. 25, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(2) Approximately 320 acres of land in Clark County, Nevada, in S½, sec. 26, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(3) Approximately 320 acres of land in Clark County, Nevada, in S½, sec. 27, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(4) Approximately 640 acres of land in Clark County, Nevada, in sec. 34, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(5) Approximately 640 acres of land in Clark County, Nevada, in sec. 35, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(6) Approximately 640 acres of land in Clark County, Nevada, in sec. 36, T. 18 S., R. 60 E., Mount Diablo Base and Meridian.

(e) USE OF LAND.—

(1) IN GENERAL.—The parcels of land conveyed under subsection (c)—

(A) shall be used by Clark County for the purposes described in subsection (b) only; and

(B) shall not be disposed of by the county.

(2) REVERSION.—If Clark County ceases to use any parcel for the purposes described in subsection (b)—

(A) title to the parcel shall revert to the United States, at the option of the United States; and

(B) Clark County, Nevada, shall be responsible for any reclamation necessary to revert the parcel to the United States.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Interior may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

(g) RELEASE OF LAND.—The Congress—

(1) finds that the parcels of land conveyed under subsection (c), comprising a portion of the Quail Springs Wilderness Study Area, NV–050–411, managed by the Bureau of Land Management and reported to the Congress in 1991, have been adequately studied for wilderness designation under section 603 of the Federal Land Management Policy Act of 1976 (43 U.S.C. 1782); and

(2) declares that those parcels are no longer subject to the requirements contained in subsection (c) of that section pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

(h) ADMINISTRATIVE COSTS.—The Secretary shall require that Clark County, Nevada, pay all survey costs and other administrative costs necessary for the preparation and completion of any patents of and transfer of title to property under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2937, introduced by the gentleman from Nevada (Mr. GIBBONS) would provide for the conveyance of certain public lands in Clark County, Nevada, for use as a regional public shooting range.

Unprecedented residential growth over the past 20 years in and around the city of Las Vegas, Clark County, Nevada, has forced a number of shooting ranges to close. Those few shooting ranges that remain are close to being in violation of local ordinances that prohibit the discharge of firearms in or near residential areas.

Mr. Speaker, to address this matter, H.R. 2937 authorizes and directs the Secretary of the Interior to convey approximately 2,880 acres of public lands to Clark County, Nevada, for the creation of a regional public shooting range. The actual usable land for the shooting range will be approximately 1,400 acres. The balance would go towards a buffer zone for the west and south sides of the range. This new public facility would provide users, archery, trap, skeet, rifle and pistol, and air pellets, with a safe location for competitive events and marksmanship training as well as opportunities for education and recreation. The new shooting range will also be utilized by city and county police departments.

The bill includes revision language should Clark County, Nevada, cease to use the land as prescribed. In addition,

release language is included which declares the land conveyed has been adequately studied for wilderness designation under the Federal Land Management Policy Act; and once it is conveyed to Clark County, Nevada, the land is no longer subject to FLMPA requirements. I urge my colleagues to support H.R. 2937, as amended.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 2937, sponsored by the gentleman from Nevada (Mr. GIBBONS), would convey 4.5 square miles of Federal land in Clark County, Nevada, to Clark County, free of charge.

The acreage in question is currently managed by the Bureau of Land Management as part of the Quail Springs Wilderness Study Area, and the legislation releases the land from WSA status.

The purpose of the legislation is to provide a centralized firearms training facility and shooting range in the Las Vegas Valley. Among other effects, the rapid population expansion which has taken place in the valley has created a dangerous situation whereby once rural activities such as firearms practice, is now taking place in close proximity to populated areas. This transfer will allow development of a safe facility for these activities, with a sufficient buffer area.

While such a transaction raises several concerns, not the least of which is the status of this land as a wilderness study area, we do not intend to oppose this measure. The administration supports H.R. 2937, and a companion bill has been introduced by the majority whip, Senator HARRY REID of Nevada. We commend our colleague on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS), the author of this legislation.

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for allowing H.R. 2937 to be considered here today. I would further like to thank the chairman of the Subcommittee on National Parks, Recreation and Public Lands, the gentleman from California (Mr. RADANOVICH), for expediting passage of this legislation in the Committee on Resources.

Mr. Speaker, H.R. 2937 is a bill to provide for the conveyance of certain public lands in Clark County, Nevada, for use as a public shooting range. This legislation enjoys strong bipartisan and bicameral support from our Nevada delegation.

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Nevada Senators HARRY REID and JOHN ENSIGN have introduced a companion bill in the United States Senate, and this legislation enjoys support from the administration as well.

For 15 consecutive years, Nevada has had the fastest growing population of any State. For 20 years, Clark County, Nevada has been the fastest growing county, with the majority of that growth taking place in the Second Congressional District. Accommodating that growth and meeting its challenges is something that I often discuss before this body.

Nevadans take great pride in the outdoor recreational opportunities that our great State has to offer. Unfortunately, Nevada has 87 percent publicly owned lands, which means that most of the recreation must take place on our public lands. Regardless, protecting the multiple use of our lands in Nevada is very important to our citizens.

The legislation before us today helps accommodate another longtime recreational favorite in Nevada, target shooting. H.R. 2937 will designate approximately 2,800 acres of public land north of Las Vegas to be used as a permanent shooting range. About half of the 2,800 acres will actually contain the shooting range, with the other 1,400 acres serving as a required buffer zone to ensure public safety. This new shooting facility will not only provide the public with a safe place to shoot, it will serve as a training facility for our law enforcement personnel in southern Nevada.

This legislation also includes reversionary language should Clark County cease to use the land as prescribed in this bill. Further, the 2,800 acres is currently designated a wilderness study area by the BLM. Yet, Mr. Speaker, the BLM has adequately studied this land and determined that it is not suitable for wilderness area designation. Therefore, Mr. Speaker, release language is included that declares the land conveyed has been adequately studied for wilderness designation under the Federal Land Policy and Management Act, or FLPMA as it is known.

Mr. Speaker, this legislation represents a simple land conveyance. It makes good sense. H.R. 2937 is supported by our law enforcement personnel, Clark County, and the public at large. Again, I want to thank the chairman and the ranking member for this opportunity. I urge my colleagues to support this legislation.

Mrs. CHRISTENSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 2937, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BEAR RIVER MIGRATORY BIRD REFUGE SETTLEMENT ACT OF 2002

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3958) to provide a mechanism for the settlement of claims of the State of Utah regarding portions of the Bear River Migratory Bird Refuge located on the shore of the Great Salt Lake, Utah, as amended.

The Clerk read as follows:

H.R. 3958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bear River Migratory Bird Refuge Settlement Act of 2002''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Secretary of the Interior and the State of Utah have negotiated a preliminary agreement concerning the ownership of lands within the Bear River Migratory Bird Refuge located in Bear River Bay of the Great Salt Lake, Utah.

(2) The State is entitled to ownership of those sovereign lands constituting the bed of the Great Salt Lake, and, generally, the location of the sovereign lands boundary was set by an official survey of the Great Salt Lake meander line.

(3) The establishment of the Refuge in 1928 along the shore of the Great Salt Lake, and lack of a meander line survey within the Refuge, has led to uncertainty of ownership of some those sovereign lands.

(4) In order to settle the uncertainty concerning the sovereign land boundary caused by the gap in the surveyed Great Salt Lake meander line within the Refuge, the Secretary and the State have agreed to the establishment of a fixed sovereign land boundary along the southern boundary of the Refuge and the State has agreed to release any claim to the lake bed above such boundary line.

(5) The Secretary and the State have expressed their intentions to establish a mutually agreed upon procedure to address the conflicting claims to ownership of the lands and interests in land within the Refuge.

SEC. 3. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) REFUGE.—The term ''Refuge'' means the Bear River Migratory Bird Refuge located in Bear River Bay of the Great Salt Lake, Utah.

(3) AGREEMENT.—The term ''agreement'' means the agreement to be signed by the Secretary and the State to establish a mutually agreeable procedure for addressing the conflicting claims to ownership of the lands and interests in land within the Refuge.

(4) STATE.—The term ''State'' means the State of Utah.

SEC. 4. REQUIRED TERMS OF LAND CLAIMS SETTLEMENT, BEAR RIVER MIGRATORY BIRD REFUGE, UTAH.

(a) SPECIFIC TERMS REQUIRED IN AGREEMENT.—The Secretary shall not enter into an agreement with the State for the quitclaim or other transfer of lands or interests in lands within the Refuge unless the terms of the agreement include each of the following provisions:

(1) Nothing in the agreement shall be construed to impose upon the State or any of agency of the State any obligation to convey to the United States any interest in water owned or controlled by the State, except upon appropriate terms and for adequate consideration.

(2) Nothing in the agreement shall constitute admission or denial of the United States claim to a Federal reserved water right.

(3) The State shall support the United States application to add an enlarged Hyrum Reservoir, or another storage facility, as an alternate place of storage under the Refuge's existing

1,000 cubic feet per second State certified water right. Such support shall be contingent upon demonstration by the United States that no injury to water rights shall occur as a result of the addition.

(4) Nothing in the agreement shall affect jurisdiction by the State or the United States Fish and Wildlife Service over wildlife resources management, including fishing, hunting and trapping, within the Refuge.

(5) If the State elects to bring suit against the United States challenging the validity of the deed issued pursuant to the agreement, and if such suit is successful in invalidating such deed, the State will—

(A) pay the United States for the fair market value of all real property improvements on the property at the time of invalidation, such as dikes, water control structures and buildings;

(B) repay any amounts paid by the United States because of ownership of the land by the United States from the date of establishment of the Refuge, such as payments in lieu of taxes; and

(C) repay any amounts paid to the State pursuant to the agreement.

(6) Subject to the availability of funds for this purpose, the Secretary shall agree to pay $15,000,000 to the State upon delivery by the State of a quitclaim deed that meets all applicable standards of the Department of Justice and covers all lands and interests in lands claimed by the State within the Refuge. Such payment shall be subject to the condition that the State use the payment for the purposes, and in the amounts, specified in subsections (b) and (c).

(b) WETLANDS AND WILDLIFE PROTECTION PROGRAMS.—

(1) DEPOSIT.—The State shall deposit $10,000,000 of the amount paid pursuant to the agreement, as required by subsection (a)(6), in a restricted account, known as the Wetlands and Habitat Protection Account, to be used as provided in paragraph (2).

(2) AUTHORIZED USES.—The Executive Director of the Utah Department of Natural Resources may withdraw from the Wetlands and Habitat Protection Account, on an annual basis, amounts equal to the interest earned on the amount deposited under paragraph (1) for the following purposes:

(A) Wetland or open space protection in and near the Great Salt Lake.

(B) Enhancement and acquisition of wildlife habitat in and near the Great Salt Lake.

(c) RECREATIONAL TRAILS AND STREAMS DEVELOPMENT AND EXPANSION.—The Utah Department of Natural Resources shall use $5,000,000 of the amount paid pursuant to the agreement, as required by subsection (a)(6), for the following purposes:

(1) Development, improvement, and expansion of motorized and non-motorized recreational trails on public and private lands in the State, with priority given to providing trail access to the Great Salt Lake as part of the proposed Shoshone and Ogden-Weber trail systems.

(2) Preservation, reclamation, enhancement, and conservation of streams in the State.

(d) COORDINATION OF PROJECTS.—The Executive Director of the Utah Department of Natural Resources shall seek to maximize the use of funds under subsections (b) and (c) through coordination with nonprofit organizations, Federal agencies, other agencies of the State, and local governments, and shall give priority to those projects under such subsections that include Federal, State, or private matching funds.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $15,000,000 for the payment required by subsection (a)(6) to be included as a term of the agreement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3958 provides a mechanism for the settlement of claims between the U.S. Department of Interior and the State of Utah regarding portions of the Bear River Migratory Bird Refuge located on the north shore of the Great Salt Lake and authorizes a reimbursement to the State of $15 million for the lands, oil, gas and mineral rights within the refuge.

The Bear River Migratory Bird Refuge was created in 1928 by Congress. Today, the refuge consists of 74,000 acres. Of these acres, the State of Utah claims 18,000 acres below the meander line of the Great Salt Lake as State sovereign lands. For nearly 75 years, the State and Federal governments have disputed the ownership of these lands. A 1976 Supreme Court decision, Utah v. United States, quieted title to the bed of the Great Salt Lake up to and including the surveyed meander line, excepting the refuge from the decision.

On September 28, 2001, negotiations between the Fish and Wildlife Service and the State resulted in a settlement agreement to be signed by the Secretary and by the Governor of the State. The settlement agreement is conditional upon congressional authorization and appropriation of required funds as well as State legislative approval. The 2002 Utah legislature approved the necessary measures. H.R. 3958 fulfills congressional action necessary for the Secretary of Interior to sign the final agreement.

To assure that reimbursement moneys from the settlement are used to benefit wildlife, this bill requires the State to place two-thirds of the funds in a permanent interest-bearing account to fund wetland and wildlife habitat projects in the State of Utah in perpetuity. The remaining one-third of the funds will be used for trail and stream enhancement. In return, the State will drop its claim to the disputed portion of the refuge. I urge my colleagues to support H.R. 3958.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 3958 would provide the framework for a quitclaim settlement between the Federal Government and the State of Utah concerning lands and other interests at the Bear River Migratory Bird Refuge. This legislation is necessary to enable the Secretary of the Interior to sign the final agreement negotiated between the U.S. Fish and Wildlife Service and the State regarding a 75-year-old dispute concerning ownership to the beds and waters of the Great Salt Lake within the refuge. This legislation would not codify the agreement. Rather, H.R. 3958 would simply specify the required terms of the settlement.

Additionally, H.R. 3958 would authorize $15 million subject to the availability of appropriations as reimbursement to the State to quiet title to the lands, oil, gas and mineral rights within the refuge. In exchange, the State will drop its claim to the 18,000 acres within the refuge that are subject to the dispute and receive valuable funding to support habitat conservation and outdoor recreation activities benefiting both the refuge and the State lands and waters.

Mr. Speaker, the Bear River Migratory Bird Refuge is one of the oldest and most popular refuges within the entire National Wildlife Refuge System. This legislation should enhance future Federal management authority at the refuge. I commend Chairman HANSEN for bringing this bill before the House today. We are pleased to support it.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3958, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. HANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

UPPER MISSISSIPPI RIVER BASIN PROTECTION ACT OF 2001

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3480) to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin.

The Clerk read as follows:

H.R. 3480

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Upper Mississippi River Basin Protection Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) The terms ''Upper Mississippi River Basin'' and ''Basin'' mean the watershed portion of the Upper Mississippi River and Illinois River basins, from Cairo, Illinois, to the headwaters of the Mississippi River, in the States of Minnesota, Wisconsin, Illinois, Iowa, and Missouri. The designation includes the Kaskaskia watershed along the Illinois River and the Meramec watershed along the Missouri River.

(2) The terms ''Upper Mississippi River Stewardship Initiative'' and ''Initiative'' mean the activities authorized or required by this Act to monitor nutrient and sediment loss in the Upper Mississippi River Basin.

(3) The term ''sound science'' means a scientific method that uses the best available technical and scientific information and techniques to identify and understand natural resource management needs and appropriate treatments, to implement conservation measures, and to assess the results of treatments on natural resource health and sustainability in the Upper Mississippi River Basin.

SEC. 3. RELIANCE ON SOUND SCIENCE.

It is the policy of Congress that Federal investments in the Upper Mississippi River Basin must be guided by sound science.

TITLE I—SEDIMENT AND NUTRIENT MONITORING NETWORK

SEC. 101. ESTABLISHMENT OF MONITORING NETWORK.

(a) ESTABLISHMENT.—As part of the Upper Mississippi River Stewardship Initiative, the Secretary of the Interior shall establish a sediment and nutrient monitoring network for the Upper Mississippi River Basin for the purposes of—

(1) identifying and evaluating significant sources of sediment and nutrients in the Upper Mississippi River Basin;

(2) quantifying the processes affecting mobilization, transport, and fate of those sediments and nutrients on land and in water;

(3) quantifying the transport of those sediments and nutrients to and through the Upper Mississippi River Basin;

(4) recording changes to sediment and nutrient loss over time;

(5) providing coordinated data to be used in computer modeling of the Basin, pursuant to section 201; and

(6) identifying major sources of sediment and nutrients within the Basin for the purpose of targeting resources to reduce sediment and nutrient loss.

(b) ROLE OF UNITED STATES GEOLOGICAL SURVEY.—The Secretary of the Interior shall carry out this title acting through the office of the Director of the United States Geological Survey.

(c) HEADQUARTERS.—Sediment and nutrient monitoring information shall be headquartered at the Upper Midwest Environmental Sciences Center in La Crosse, Wisconsin.

SEC. 102. DATA COLLECTION AND STORAGE RESPONSIBILITIES.

(a) GUIDELINES FOR DATA COLLECTION AND STORAGE.—The Secretary of the Interior shall establish guidelines for the effective design of data collection activities regarding sediment and nutrient monitoring, for the use of suitable and consistent methods for data collection, and for consistent reporting, data storage, and archiving practices.

(b) RELEASE OF DATA.—Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin shall be released to the public using generic station identifiers and hydrologic unit codes. In the case of a monitoring station located on private lands, information regarding the location of the station shall not be disseminated without the landowner's permission.

(c) PROTECTION OF PRIVACY.—Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin is not subject to the mandatory disclosure provisions of section 552 of title V, United States Code, but may be released only as provided in subsection (b).

SEC. 103. RELATIONSHIP TO EXISTING SEDIMENT AND NUTRIENT MONITORING.

(a) INVENTORY.—To the maximum extent practicable, the Secretary of the Interior shall inventory the sediment and nutrient monitoring efforts, in existence as of the date of the enactment of this Act, of Federal, State, local, and nongovernmental entities for the purpose of creating a baseline understanding of overlap, data gaps and redundancies.

(b) INTEGRATION.—On the basis of the inventory, the Secretary of the Interior shall integrate the existing sediment and nutrient monitoring efforts, to the maximum extent practicable, into the sediment and nutrient monitoring network required by section 101.

(c) CONSULTATION AND USE OF EXISTING DATA.—In carrying out this section, the Secretary of the Interior shall make maximum use of data in existence as of the date of the enactment of this Act and of ongoing programs and efforts of Federal, State, tribal, local, and nongovernmental entities in developing the sediment and nutrient monitoring network required by section 101.

(d) COORDINATION WITH LOWER ESTUARY ASSESSMENT GROUP.—The Secretary of the Interior shall carry out this section in coordination with the Lower Estuary Assessment Group, as authorized by section 902 of the Estuaries and Clean Waters Act of 2000 (Public Law 106–457; 33 U.S.C. 2901 note).

SEC. 104. COLLABORATION WITH OTHER PUBLIC AND PRIVATE MONITORING EFFORTS.

To establish the sediment and nutrient monitoring network, the Secretary of the Interior shall collaborate, to the maximum extent practicable, with other Federal, State, tribal, local and private sediment and nutrient monitoring programs that meet guidelines prescribed under section 102(a), as determined by the Secretary.

SEC. 105. COST SHARE REQUIREMENTS.

(a) REQUIRED COST SHARING.—The non-Federal sponsors of the sediment and nutrient monitoring network shall be responsible for not less than 25 percent of the costs of maintaining the network.

(b) IN-KIND CONTRIBUTIONS.—Up to 80 percent of the non-Federal share may be provided through in-kind contributions.

(c) TREATMENT OF EXISTING EFFORTS.—A State or local monitoring effort, in existence as of the date of the enactment of this Act, that the Secretary of the Interior finds adheres to the guidelines prescribed under section 102(a) shall be deemed to satisfy the cost share requirements of this section.

SEC. 106. REPORTING REQUIREMENTS.

The Secretary of the Interior shall report to Congress not later than 180 days after the date of the enactment of this Act on the development of the sediment and nutrient monitoring network.

SEC. 107. NATIONAL RESEARCH COUNCIL ASSESSMENT.

The National Research Council of the National Academy of Sciences shall conduct a comprehensive water resources assessment of the Upper Mississippi River Basin.

TITLE II—COMPUTER MODELING AND RESEARCH

SEC. 201. COMPUTER MODELING AND RESEARCH OF SEDIMENT AND NUTRIENT SOURCES.

(a) MODELING PROGRAM REQUIRED.—As part of the Upper Mississippi River Stewardship Initiative, the Director of the United States Geological Survey shall establish a modeling program to identify significant sources of sediment and nutrients in the Upper Mississippi River Basin.

(b) ROLE.—Computer modeling shall be used to identify subwatersheds which are significant sources of sediment and nutrient loss and shall be made available for the purposes of targeting public and private sediment and nutrient reduction efforts.

(c) COMPONENTS.—Sediment and nutrient models for the Upper Mississippi River Basin shall include the following:

(1) Models to relate nutrient loss to landscape, land use, and land management practices.

(2) Models to relate sediment loss to landscape, land use, and land management practices.

(3) Models to define river channel nutrient transformation processes.

(d) COLLECTION OF ANCILLARY INFORMATION.—Ancillary information shall be collected in a GIS format to support modeling and management use of modeling results, including the following:

(1) Land use data.

(2) Soils data.

(3) Elevation data.

(4) Information on sediment and nutrient reduction improvement actions.

(5) Remotely sense data.

(e) HEADQUARTERS.—Information developed by computer modeling shall be headquartered at the Upper Midwest Environmental Sciences Center in La Crosse, Wisconsin.

SEC. 202. USE OF ELECTRONIC MEANS TO DISTRIBUTEINFORMATION.

Not later than 90 days after the date of the enactment of this Act, the Director of the United States Geological Survey shall establish a system that uses the telecommunications medium known as the Internet to provide information regarding the following:

(1) Public and private programs designed to reduce sediment and nutrient loss in the Upper Mississippi River Basin.

(2) Information on sediment and nutrient levels in the Upper Mississippi River and its tributaries.

(3) Successful sediment and nutrient reduction projects.

SEC. 203. REPORTING REQUIREMENTS.

(a) MONITORING ACTIVITIES.—Commencing one year after the date of the enactment of this Act, the Director of the United States Geological Survey shall provide to Congress and make available to the public an annual report regarding monitoring activities conducted in the Upper Mississippi River Basin.

(b) MODELING ACTIVITIES.—Every three years, the Director of the United States Geological Survey shall provide to Congress and make available to the public a progress report regarding modeling activities.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary of the Interior $6,250,000 each fiscal year to carry out this Act.

(b) WATER RESOURCE AND WATER QUALITY MANAGEMENT ASSESSMENT.—There is authorized to be appropriated $650,000 to allow the National Research Council to perform the assessment required by section 107.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Wisconsin (Mr. KIND) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3480, the Upper Mississippi River Basin Protection Act of 2001, provides for the Department of the Interior, U.S. Geological Survey to supplement, coordinate and manage data collection on sediments and nutrients in the Upper Mississippi River Basin and use the data to perform computer modeling to provide the baseline data and modeling tools needed to make scientifically sound and cost-effective river management decisions. The legislation includes a provision requiring landowner permission prior to disseminating information from monitoring stations located on private lands to protect the privacy of individual landowners. Finally, it provides for the National Research Council of the National Academy of Sciences to conduct a comprehensive water resources assessment of the Upper Mississippi River Basin.

Mr. Speaker, I reserve the balance of my time.

Mr. KIND. Mr. Speaker, I yield myself such time as I may consume.

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Speaker, this legislation offered today is meant to better preserve and protect one of the great national treasures that exist in this country, the Mississippi River Basin. I would like to thank, first of all, Chairman HANSEN of our committee and Chairman CALVERT of the subcommittee and their staffs for the assistance and the cooperation we received in putting this legislation together. I also want to thank Ranking Member RAHALL and also Ranking Member SMITH of the subcommittee and their staff for all the help and assistance that we have received.

This is simple legislation, Mr. Speaker. The intent of it is to authorize the U.S. Geological Survey to be able to put together the science and implement the science so we can better track and monitor the nutrients and sediments that flow into the Upper Mississippi River Basin. It would develop for the first time a public-private approach and coordination in order to develop a comprehensive monitoring and a state-of-the-art computer modeling program in order to track the sediment and nutrient flows into the river basin.

This legislation has been near and dear to my heart, Mr. Speaker. As a young boy growing up in western Wisconsin, I spent an inordinate amount of my time growing up on the Mississippi River. I guess you could refer to me as the ''Tom Sawyer'' of the United States Congress, but since we already have a TOM SAWYER from Ohio I guess I will just accept the label of Huck Finn. Huck was probably more colorful, anyway. But as a young kid growing up, I spent a lot of my time on the Mississippi enjoying the recreational activities, the swimming, the fishing, the hunting, but I still remember those days during the sixties and during the seventies when I would go down to my favorite swimming beaches and find that they were closed because of high bacteria count, or going down to my favorite fishing holes and finding notices that were posted around these popular fishing areas warning the fishermen not to eat the fish that they were catching because of the contamination and the effect on the quality of the fish supplies. I knew even then as a young boy that something was not quite right.

Since those days, a lot of progress has been made in regards to the health, viability and sustainability of the river basin. There is still much work that needs to be done. If you talk to the experts in the river system both in the north and the southern part, the one thing that has really been lacking or missing is a comprehensive scientific program so we can collect the baseline data at sub-basin level in order to understand more the effects of the sediment and nutrient flows going into this valuable ecosystem.

Why is this important? It is important on a number of fronts, not least of which is economic. This is a multiple-use river system, from commercial navigation to tourist activity to recreation activity. It has been in the past with the lock and dam system; it is today and it will continue to be so in the future. But there also is the need for balance and balanced use in regards to the river basin. There is a $1.2 billion recreation impact in the Upper Mississippi States alone and a $6.6 billion tourism impact. In fact, we have more visitors every year to the Upper Mississippi Wildlife Refuge than they do in the Yellowstone National Park System. It is also the primary drinking supply source for over 22 million Americans. It is North America's largest migratory route, with over 40 percent of the waterfowl species using the river basin as its main corridor during its migratory pattern every year. It also provides us, as this picture demonstrates, the fertile farmland which makes the Midwest the breadbasket of the United States and the rest of the world.

But there are also some challenges with the system. Because of the sediment flows flowing into the river, it is costing us roughly $100 million every year just to maintain a 9-foot navigable channel with the dredging costs in order to keep the commercial navigation flowing along the river system. Our farmers are losing valuable topsoil. In fact, they are losing $300 million worth of applied nitrogen every year that ultimately flows into the rivers and streams and affects the ecosystem adversely.

This litigation has received wide bipartisan support, from the original cosponsors when I introduced the legislation to a variety of experts in the Upper Mississippi States. It is consistent with the Mississippi River and the Gulf of Mexico Hypoxia Task Force that was formed over the last few years, studying the nutrient problems that are affecting especially the Gulf of Mexico and the dead zone that is being created there. The Upper Mississippi, although it supplies 22 percent of the water that ultimately flows into the Gulf of Mexico, nevertheless it is the source of 32 percent of the nutrients that are flowing into the Gulf of Mexico, and it is consistent with the recommendations that they are making for a public and private coordinated approach with Federal, State, local agencies, private entities and tribes to do a better job of collaborating and to standardize the data that is now being collected.

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At one point during the research of this legislation, I discovered there were 77 different private entities that were doing some form of water quality testing, but there was very little sharing of information because the data was not standardized. This legislation will address that problem.

But it also addresses a very important privacy protection concern that some groups that we worked with raised, and I feel the language that we have in here with regard to the protection of sharing personal data of private landowners meets the test that a lot of these groups were raising.

It is also consistent with what a number of States have talked about that is needed in regards to the River Basin and its protection. In fact, a number of States have also weighed in on the need to increase monitoring and modeling efforts throughout the Upper Mississippi River Basin.

In October of 2001, in a letter to a Bush administration official, six Governors of the States bordering the Mississippi wrote that, ''A monitoring effort conducted jointly by the U.S. Geological Survey and the States is required within the Basin to determine the water quality effects of the actions taken and to measure the success of efforts on a sub-basin and project level.''

H.R. 3480 does exactly what the Governors of those States were recommending, bringing in a variety of groups in order to have a more comprehensive monitoring and computer

modeling system so that the science will be able to demonstrate where the hot spots exist, where the problem areas are, so we are in a better position then of making policy choices of how better to direct the limited resources to get the optimal effect of the investment in land stewardship through , voluntary and incentive-based land conservation programs, and the benefit that is going to bring to the entire river basin area.

My district, Mr. Speaker, has more miles that border the Mississippi River than any other congressional district in the Nation, and therefore I felt a certain personal responsibility to keep an eye on the river and to promote good policy and legislation that will enhance the long-term sustainability of this great natural resource.

It is one of the reasons I was motivated to help form a bipartisan Mississippi River Task Force so that we can start working more effectively together between the upper Mississippi region and the southern Mississippi River region on issues of common ground and to better educate ourselves in regard to the different uses of this valuable river system.

Finally, Mr. Speaker, I do want to thank a few individuals who have been very helpful in support of this legislation. I want to, of course, thank the original cosponsors of this legislation, including the other cochairs of the Upper Mississippi River Task Force, the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Iowa (Mr. LEACH), and the gentleman from Illinois (Mr. COSTELLO).

I also want to thank the congressional cochairs of the entire Mississippi River Caucus, the gentleman from Missouri (Mr. HULSHOF) and the gentleman from Iowa (Mr. BOSWELL) for their support and their staff's support for this legislation.

In addition, I want to thank Ms. Holly Stoerker of the Upper Mississippi River Basin Association, Mr. Doug Daigle of the Mississippi River Basin Alliance, Dr. Jerry Schnoor of the University of Iowa, and Dr. Barry Drazkowski and the administration and staff at St. Mary's University in Minnesota for a lot of the ideas that are contained within this legislation. Their expertise and testimony during the hearings that we have had on this legislation was essential in crafting the bipartisan approach that this legislation takes.

Also greatly appreciated is the tireless work of a few individuals in my office, former Sea Grant fellow Allen Hance, who is now with the Northeast Midwest Institute, along with other Sea Grant fellows, Laura Cimo, Jeff Stein and Ed Buckner, who have worked in my office, worked specifically on this legislation dealing with a lot of the shareholders and groups interested in this legislation, as well as other issues affecting the Mississippi River Basin area.

I also want to thank a couple permanent members on my staff, Ben Proctor, who is with us on the floor today, and also Brad Pfaff, who has carried a lot of the weight with this legislation during the period of time we have been working on it. Their help has been greatly appreciated.

H.R. 3480 represents a commonsense move toward building the scientific foundation necessary to remedy nutrient and sediment problems throughout the Mississippi River Basin. I believe this is a needed, cost-effective step in preserving the Upper Mississippi River and its multiple-use heritage for future generations, and I would urge my colleagues to support this legislation.

Mr. PETRI. Mr. Speaker, I rise in support of H.R. 3480, the Upper Mississippi River Basin Protection Act.

For quite some time there have been several federal, state, and local programs designed to address the problem of sediment and nutrient loss in the Upper Mississippi River Basin, but there has been little coordination between them. This bill will provide this much needed coordination and enable a more comprehensive approach to addressing this problem.

In Wisconsin, and particularly in my district, agriculture is a vital industry. The soil erosion suffered by farmers in the area reduces and threatens the long-term sustainability and income of my state's family farms.

Furthermore, the cost of dredging the sediment fills in the river's main shipping channel costs over $100 million each year. These fills also threaten the region's $1.2 billion recreation and $6.6 billion tourism industries.

While the Upper Mississippi River Basin contributes 22 percent of the water flowing into the Lower Mississippi, it contributes 31 percent of the nitrogen, threatening the water quality of that part of the river.

By designating the U.S. Geological Survey as the lead agency, this bill will provide the much needed coordination, monitoring, and scientific data collection to implement informed and effective conservation decisions for the river basin. I urge my colleagues to support its passage.

Mr. GUTKNECHT. Mr. Speaker, as a cochair of the Upper Mississippi River Task Force, I am proud that the House is considering the Upper Mississippi River Basin Protection Act today.

This bill is good for farmers, and it is good for the environment.

Every year, farmers collectively lose more than $300 million in applied nitrogen due to erosion. Not only does this hurt the Mississippi River ecosystem—it hurts farmers' checkbooks.

Soil erosion also causes sedimentation problems on the river. Dredging costs due to increased sedimentation run over $100 million each year, and removing the sediment is integral to keeping the river a viable transportation mechanism. Sediments also fill critical wetland areas in the Mississippi River basin, threatening the plants and wildlife.

Currently there is insufficient data on the amounts and sources of sediments and nutrients in the upper Mississippi River basin. Local, state, and federal water quality monitoring and modeling efforts are not coordinated or standardized. This legislation will develop a coordinated public-private approach to reducing nutrient and sediment losses in the upper Mississippi River basin, and will establish a water quality monitoring network and an integral computer modeling program.

This bill will provide the baseline data needed to make scientifically sound and cost-effective decisions that will benefit all who depend on the health of the upper Mississippi River basin for transportation, recreation, or whatever their needs may be.

Mr. KIND. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3480.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3848, H.R. 2937, H.R. 3958 and H.R. 3480.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Evans, one of his secretaries.

CONGRATULATING PEOPLE OF UTAH, SALT LAKE ORGANIZING COMMITTEE AND ATHLETES OF WORLD FOR SUCCESSFUL AND INSPIRING 2002 OLYMPIC WINTER GAMES

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 363) congratulating the people of Utah, the Salt Lake Organizing Committee and the athletes of the world for a successful and inspiring 2002 Olympic Winter Games, as amended.

The Clerk read as follows:

H. RES. 363

Whereas the State of Utah hosted the world during the largest and most successful Olympic Winter Games ever held;

Whereas the people of Utah opened their hearts and their homes to the athletes of the world and represented the Nation well to the world community;

Whereas the Salt Lake Organizing Committee, its president, Mitt Romney, and its chairman, Robert Garff did a spectacular job in staging a great Winter Olympics with class, dignity, and a proper focus on the athletic competition;

Whereas 2,535 athletes, from a record 78 countries, prepared with unmatched dedication, competed with unrivaled courage, and inspired the world with their spirit of peaceful competition;

Whereas African-American and Mexican-American athletes won medals for the first time in Winter Olympics history;

Whereas over 500 athletes from 36 nations competed in the 2002 Paralympic Winter Games, also held in Salt Lake City, and reminded the world that physical challenges are no limit to human achievement;

Whereas the 211 members of the United States Olympic Team won a Winter Olympics record 34 medals, including a record 10 gold medals, and gave a grateful Nation another new group of heroes at a time when the Nation has rediscovered the true meaning of heroism;

Whereas the silent heroes, over 7,000 members of Federal, State, and local law enforcement and public safety agencies, and over 5,400 brave members of the Armed Forces continued their selfless service to ensure the Winter Olympics were safe and secure for athletes and spectators alike;

Whereas over 19,500 Utahns and other United States citizens volunteered their time and talents to show the world the best that the United States has to offer; and

Whereas the 2002 Olympic Winter Games accomplished the principles set forth by the Olympic movement, including the aim to ''encourage the Olympic spirit of peace and harmony, which brings the people from across the world together around Olympic sport'': Now, therefore, be it

Resolved, That the House of Representatives congratulates the people of Utah, the Salt Lake Organizing Committee, the United States Olympic Team, and the athletes of the world for an outstanding and inspiring 2002 Olympic Winter Games, and thanks the thousands of law enforcement and public safety personnel, military servicemen and women, and volunteers who contributed so much to ensure the Winter Olympics were safe, secure, and friendly.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 363, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 363, as amended, at the request of the distinguished gentleman from Utah (Chairman HANSEN), congratulating the people of Utah, the Salt Lake Organizing Committee and the competing athletes for an inspiring Olympic Winter Games. The Committee on International Relations, on which I serve as vice chairman, waived its consideration of this measure before the Easter recess to facilitate its consideration by the House today.

I am very pleased to join with my colleagues, particularly those from the State of Utah, in congratulating for a job well done not only each and every one of the 211 members of the United States Winter Olympics team, who won a record 34 medals and competed with great tenacity, focus and sportsmanship, but also the over 7,000 members of the law enforcement and public safety agencies and over 5,400 members of the Armed Forces who ensured that the games were safe for athletes and spectators alike. That was no small feat, Mr. Speaker, in light of the 9–11 world that we live in where terrorism and threats are a daily routine.

We also note with deep appreciation that the Olympic games would not have been possible without the active involvement of close to 20,000 Americans, whose volunteer efforts in Utah and around the country made a critical difference to the success of these games. Their legacy is an inspiration to all Americans and a shining example of what this country represents.

My understanding is that this resolution, as amended, does have broad bipartisan support, and I do hope that every Member of this Chamber will support it.

Mr. Speaker, I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

Mr. Speaker, the resolution recognizes and congratulates the achievements of those who contributed to making the 2002 Winter Olympics such a remarkable success. The people and the government of Salt Lake City and of the State of Utah were gracious hosts who made both our international guests and our fellow Americans from around our Nation feel welcome and at home. The Salt Lake Organizing Committee, under the leadership of Mitt Romney, recovered from a shaky start and produced a truly outstanding competition.

Mr. Speaker, most importantly, I want to congratulate the athletes from around the globe for their spirited competition, which was obviously the most important ingredient in the enormously successful Winter Olympic Games in Salt Lake City, Utah.

Mr. Speaker, our resolution expresses our gratitude for our own United States Olympic athletes who provided inspiration with their unprecedented success in winning 34 medals, and, I am proud to add, including the first ever medals earned by African American and Mexican American athletes in the Winter Olympics. This is an historic achievement.

Our resolution recognizes the less-visible heroes of this year's Olympics, the law enforcement officers and military personnel who rose to the challenge posed by the events of September 11 by ensuring that the Winter Games were safe and secure for athletes and spectators alike.

Finally, Mr. Speaker, I want to congratulate my good friend and colleague, the distinguished gentleman from Utah (Mr. HANSEN), the gentleman from Utah (Mr. MATHESON) and a former member of our Committee on International Relations, the gentleman from Florida (Mr. HASTINGS), for their work on this important resolution.

I urge all of my colleagues to support H. Res. 363.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Utah (Mr. HANSEN), the sponsor of the resolution.

Mr. HANSEN. Mr. Speaker, I thank the gentleman from New Jersey for being so gracious and yielding me this time.

Mr. Speaker, I rise today in support of this resolution, as amended, and urge all of my colleagues to extend our congratulations to my home State, the State of Utah, for hosting, in the words of one NBC sportscaster, ''far and away the most successful Olympics, summer or winter, in history.''

I would extend a special thanks to my friend and colleague, the gentleman from Florida (Mr. HASTINGS), for his work to make this resolution better and for laying aside his own resolution to bring this compromise to the floor.

Just over 1 month ago, the State of Utah and her citizens were introduced to the world, and, boy, did they ever shine. From the emotional opening ceremonies to the celebration of the closing ceremonies, the Salt Lake Organizing Committee, under the inspirational leadership of their President Mitt Romney, Chairman Bob Garff and Chief Operating Officer Fraser Bullock, they truly made America proud, while keeping the focus on peaceful international competition and the spirit of human achievement.

Never in the history of the Olympics has there been such a spirit of enthusiasm and volunteerism exhibited by the host community. Visitors from around the world were uniformly impressed by the helpfulness and friendliness of the locals.

Salt Lake City, Utah, in the words of one Washington Post writer, is the ''nice'' capital of the world.

Mr. Speaker, not only did my home State shine in its hosting of the Winter Olympics, but the home team, the U.S. Olympians, took home an unprecedented number of medals, 34 in all, including the first ever winter gold medals for African American and Mexican American athletes. The previous U.S. record for a Winter Games was only 13 medals. I commend all of our U.S. Olympic team athletes for their tremendous showing.

We are also proud to host the Paralympic Games, where hundreds of athletes reminded us that all physical limitations are no boundary to human achievement.

After the horrendous attacks on our country on September 11, United States citizens and the international community as a whole approached the 2002 Winter Olympics with some trepidation. There was even talk of canceling the games. But the Salt Lake Organizing Committee and the people of Utah could not be deterred by fear.

Thanks to the united efforts of thousands of Federal, State and local law enforcement and National Guard and other military personnel, the Olympic games went off without a single incident. The Nation owes all of those silent heroes our deepest thanks for their continued sacrifice.

Mr. Speaker, I would like to ask all of my colleagues to support this legislation, but before we do, I also have one tiny little black mark on the flawlessness of these games, and I say this with my tongue planted firmly in my cheek.

To Mr. Woody Paige, the Denver Post sportswriter, who in a presumed fit of jealousy over Utah having better skiing attractions and amenities than Colorado, maligned the local culture, ridiculed the religious beliefs of millions of Americans, and then failed at an insincere apology.

Mr. Paige asserted that Utah had only beginner-level skiing. I would love to see Mr. Paige try the men's downhill course, The Grizzly, at Snowbasin, a 77 percent drop, going 85 miles an hour in the first 300 feet. In fact, we Utahans have a standing invitation to him, with the press and public watching, for Mr. Paige to attempt this ''beginner's run.'' I will be there for his debut, ringing my cow bell, and perhaps if he makes it down in one piece, he will reassess his opinion of Utah's ''Greatest Snow on Earth.''

Mr. Speaker, I want to thank the good folks of Massachusetts for giving us Mitt Romney for the time that they did, and now we give him back to you, and are sure he will serve you well for the next 4 years as he has served us in Utah.

Mr. LANTOS. Mr. Speaker, I am delighted to yield such time as he may consume to my good friend, the gentleman from Florida (Mr. HASTINGS).

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Mr. HASTINGS of Florida. Mr. Speaker, I thank my very good friend, the gentleman from California (Mr. LANTOS), for giving me an opportunity to speak on this matter, as well as the gentleman from Utah (Mr. HANSEN). The chairman of the committee and I spoke about this matter shortly after the Olympics and our respective offices were proceeding apace with legislation; and now we come to this, and I am delighted today that it has come to fruition.

I rise today to join with my colleagues in congratulating all of the people of Utah, the Salt Lake Organizing Committee, and the athletes of the world for a successful, inspirational, and a truly breathtaking 2002 Olympic Winter Games. I do not talk too much of the winter stuff, because I come from Florida; but the fact is that it was exciting, and I had an opportunity to view much of it.

The 2002 Olympic Games represented the best of human spirit. The games were an exemplary exhibition of dedication, perseverance, and unity that we all strive for and need during these violent times. This year marked the 19th Winter Games, which brought 78 nations and more than 2,500 athletes to this global arena and gave us some of the most historical and memorable moments of any of the Winter Games.

These games showed us tremendous American diversity and determination, and that is where my interest came in with reference to this resolution. It showed us determination and diversity when, for the first time ever at our Winter Games, African American and Hispanic American athletes graced the winner's podium. I hope that the accomplishments of those African Americans, particularly bobsledder Vonetta Flowers and Hispanic American speed skaters Jennifer Rodriguez and Derek Parra, have opened doors for all of those who dare to dream, despite difficult circumstances.

The 2002 games also showed us the spirit which forms the very foundation of these games. When the Kazakhstan Women's Hockey team came to the Olympics wearing hospital scrubs with holes in them, a transportation volunteer took notice and started a collection. As a result, anonymous gift baskets were placed on the team's bus.

Mr. Speaker, these games were a tremendous success. The athletes shined and the fans cheered. All of this was made possible by sheer hard work and determination of the thousands of volunteers, law enforcement agencies, and our armed services. The 60 security organizations entrusted with the responsibility of protecting the athletes, coaches, judges and spectators rose to the challenge to provide the safest Olympic games ever and set an impressive precedent for providing security in the future.

I would also like to congratulate and thank the residents of Salt Lake City for opening up their homes and, more importantly, their hearts to the world and making this a truly magnificent experience for all Americans.

I also am immensely proud of the success of the 2002 Paralympic Winter Games. The athletes taking part in these games represent the epitome of resolve and dedication. I think that Rudy Garcia-Tolson, a 13-year-old boy who has lost both of his legs to congenital birth defects, but has gone on to compete in triathlons, said it best when he stated, ''My spirit thinks I am a regular boy and an athlete. My spirit soars.''

Today I congratulate those who protected, provided, and performed in the 2002 Winter Olympic Games in Salt Lake City. Thanks to the countless efforts of hundreds of determined men and women, this year's Olympics were victorious over anxiety and skepticism and brought off a spectacle that was equal parts entertainment and uplift.

The 2002 Winter Olympic Games and 2002 Paralympic Winter Games have brought forth the feeling of unity that is much needed in today's world. If thousands of athletes, fans, volunteers, and service persons can come together for a few weeks and personify the human spirit, then there is no reason to doubt that the nations of this world can come together and join in that human spirit.

I thank the gentleman from California (Mr. LANTOS) and the gentleman from Utah (Chairman HANSEN).

Mr. SMITH of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LANTOS. Mr. Speaker, I want to commend the gentleman from Florida (Mr. HASTINGS), my friend, for an extraordinarily eloquent and powerful statement.

Mr. CANNON. Mr. Speaker, it is my great pleasure to rise today in support of House Resolution 363.

In 1995, Salt Lake city was awarded the honor of hosting the 2002 Winter Olympic Games. Seven years and thousands of volunteer hours later, the state of Utah welcomed the world to the largest and most successful Winter Olympics ever. Accomplishing this amazing event was no small feat and the tens of thousands of people involved deserve to be recognized for their work and dedication.

There is little doubt that the Olympics would not have been as successful without the time and incredible efforts of the Salt Lake Organizing Committee, headed by President Mitt Romney and Chairman Robert Garff. But equally important were the tireless efforts of the nearly 20,000 volunteers who opened their homes and hearts to the world. Without their time, talents and generosity, the XIX Winter Olympics would not have been the success it was.

After September 11, some questioned whether the spirit of the Games could be preserved in light of security concerns. But thanks to the collaboration of over 7,000 federal, state, and local law enforcement officers and 5,400 members of the Armed Forces, not one serious incident occurred during the Olympics and Paralympics. The selfless courage of these men and women ensured the safety and security of all the athletes and visitors to the Games.

In the aftermath of September 11, the athletes became new heroes for America. These individuals captured our hearts through their amazing sacrifices and triumphs. For the first time in Winter Olympic history, an African-American and Mexican-American won medals, inspiring children and adults alike to strive for excellence.

As Representatives of the United States, we must recognize and congratulate through this resolution all Americans who helped make the 2002 Winter Olympic Games the most successful and memorable ever.

Mr. BLUMENAUER. Mr. Speaker, the success of the 2002 Olympic games in Sale Lake City reflects well the hard work and extraordinary efforts of its

host city and of the thousands of athletes who participated in the games. In particular, I would like to congratulate the people who work at the Utah Transit Authority and Utah Department of Transportation for their role in making these Games the most mobility-friendly in history.

Transit provided a safe, effective and efficient transportation alternative for tens of thousands of visitors from around the world, while also serving local residents who rode transit and helped reduce congestion. The efforts of Utah's transportation professionals helped to ensure that the transportation system worked seamlessly during the Olympics.

Salt Lake City developed TRAX, its light rail system, in anticipation of the 2002 Olympics to reduce growing congestion levels in the region. Since service began on the TRAX system in 1999, which opened a year ahead of schedule and under budget, residents in Utah have flocked to use it. Ridership has greatly exceeded projections, and remains high on the system even following the Olympic Games.

In addition to the amazing effort of Utah's transit employees, transit systems from around the nation helped support the Olympic games. Buses and light rail cars borrowed from across the country, in addition to 1,100 transit operators from other cities who came to Salt Lake City to assist the UTA, made the difference in the quality of transit service provided to the approximately 1.7 million spectators, athletes, trainers, officials, journalists, sponsors and staff attending the 2002 Olympics. The Amalgamated Transit Union also played a key role in encouraging drivers and maintenance personnel to participate in the Olympics by helping the Salt Lake Organizing Committee. The willingness of transit agencies from throughout the United States to support Salt Lake City during the 2002 Olympics demonstrates yet another winning team for our country.

Mr. LANTOS. Mr. Speaker, we have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 363, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

BUSINESS CHECKING FREEDOM ACT OF 2002

Mr. TOOMEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1009) to repeal the prohibition on the payment of interest on demand deposits, as amended.

The Clerk read as follows:

H.R. 1009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Business Checking Freedom Act of 2002''.

SEC. 2. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED.

(a) REPEAL OF PROHIBITION ON PAYMENT OF INTEREST ON DEMAND DEPOSITS.—

(1) FEDERAL RESERVE ACT.—Section 19(i) of the Federal Reserve Act (12 U.S.C. 371a) is amended to read as follows:

''(i) [Repealed]''.

(2) HOME OWNERS' LOAN ACT.—The first sentence of section 5(b)(1)(B) of the Home Owners' Loan Act (12 U.S.C. 1464(b)(1)(B)) is amended by striking ''savings association may not—'' and all that follows through ''(ii) permit any'' and inserting ''savings association may not permit any''.

(3) FEDERAL DEPOSIT INSURANCE ACT.—Section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended to read as follows:

''(g) [Repealed]''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect at the end of the 2-year period beginning on the date of the enactment of this Act.

SEC. 3. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED FOR ALL BUSINESSES.

Section 2 of Public Law 93–100 (12 U.S.C. 1832) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) Notwithstanding any other provision of law, any depository institution may permit the owner of any deposit or account which is a deposit or account on which interest or dividends are paid and is not a deposit or account described in subsection (a)(2) to make up to 24 transfers per month (or such greater number as the Board of Governors of the Federal Reserve System may determine by rule or order), for any purpose, to another account of the owner in the same institution. An account offered pursuant to this subsection shall be considered a transaction account for purposes of section 19 of the Federal Reserve Act unless the Board of Governors of the Federal Reserve System determines otherwise.''.

SEC. 4. PAYMENT OF INTEREST ON RESERVES AT FEDERAL RESERVE BANKS.

(a) IN GENERAL.—Section 19(b) of the Federal Reserve Act (12 U.S.C. 461(b)) is amended by adding at the end the following new paragraph:

''(12) EARNINGS ON RESERVES.—

''(A) IN GENERAL.—Balances maintained at a Federal reserve bank by or on behalf of a depository institution may receive earnings to be paid by the Federal reserve bank at least once each calendar quarter at a rate or rates not to exceed the general level of short-term interest rates.

''(B) REGULATIONS RELATING TO PAYMENTS AND DISTRIBUTION.—The Board may prescribe regulations concerning—

''(i) the payment of earnings in accordance with this paragraph;

''(ii) the distribution of such earnings to the depository institutions which maintain balances at such banks or on whose behalf such balances are maintained; and

''(iii) the responsibilities of depository institutions, Federal home loan banks, and the National Credit Union Administration Central Liquidity Facility with respect to the crediting and distribution of earnings attributable to balances maintained, in accordance with subsection (c)(1)(A), in a Federal reserve bank by any such entity on behalf of depository institutions.

''(C) DEPOSITORY INSTITUTIONS DEFINED.—For purposes of this paragraph, the term 'depository institution', in addition to the institutions described in paragraph (1)(A), includes any trust company, corporation organized under section 25A or having an agreement with the Board under section 25, or any branch or agency of a foreign bank (as defined in section 1(b) of the International Banking Act of 1978).''.

(b) AUTHORIZATION FOR PASS THROUGH RESERVES FOR MEMBER BANKS.—Section 19(c)(1)(B) of the Federal Reserve Act (12 U.S.C. 461(c)(1)(B)) is amended by striking ''which is not a member bank''.

(c) CONSUMER BANKING COSTS ASSESSMENT.—

(1) IN GENERAL.—Section 1002 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note) is amended to read as follows:

''SEC. 1002. SURVEY OF BANK FEES AND SERVICES.

''(a) ANNUAL SURVEY REQUIRED.—The Board of Governors of the Federal Reserve System shall obtain annually a sample, which is representative by type and size of the institution (including small institutions) and geographic location, of the following retail banking services and products provided by insured depository institutions and insured credit unions (along with related fees and minimum balances):

''(1) Checking and other transaction accounts.

''(2) Negotiable order of withdrawal and savings accounts.

''(3) Automated teller machine transactions.

''(4) Other electronic transactions.

''(b) MINIMUM SURVEY REQUIREMENT.—The annual survey described in subsection (a) shall meet the following minimum requirements:

''(1) CHECKING AND OTHER TRANSACTION ACCOUNTS.—Data on checking and transaction accounts shall include, at a minimum, the following:

''(A) Monthly and annual fees and minimum balances to avoid such fees.

''(B) Minimum opening balances.

''(C) Check processing fees.

''(D) Check printing fees.

''(E) Balance inquiry fees.

''(F) Fees imposed for using a teller or other institution employee.

''(G) Stop payment order fees.

''(H) Nonsufficient fund fees.

''(I) Overdraft fees.

''(J) Deposit items returned fees.

''(K) Availability of no-cost or low-cost accounts for consumers who maintain low balances.

''(2) NEGOTIABLE ORDER OF WITHDRAWAL ACCOUNTS AND SAVINGS ACCOUNTS.—Data on negotiable order of withdrawal accounts and savings accounts shall include, at a minimum, the following:

''(A) Monthly and annual fees and minimum balances to avoid such fees.

''(B) Minimum opening balances.

''(C) Rate at which interest is paid to consumers.

''(D) Check processing fees for negotiable order of withdrawal accounts.

''(E) Fees imposed for using a teller or other institution employee.

''(F) Availability of no-cost or low-cost accounts for consumers who maintain low balances.

''(3) AUTOMATED TELLER TRANSACTIONS.—Data on automated teller machine transactions shall include, at a minimum, the following:

''(A) Monthly and annual fees.

''(B) Card fees.

''(C) Fees charged to customers for withdrawals, deposits, and balance inquiries through institution-owned machines.

''(D) Fees charged to customers for withdrawals, deposits, and balance inquiries through machines owned by others.

''(E) Fees charged to noncustomers for withdrawals, deposits, and balance inquiries through institution-owned machines.

''(F) Point-of-sale transaction fees.

''(4) OTHER ELECTRONIC TRANSACTIONS.—Data on other electronic transactions shall include, at a minimum, the following:

''(A) Wire transfer fees.

''(B) Fees related to payments made over the Internet or through other electronic means.

''(5) OTHER FEES AND CHARGES.—Data on any other fees and charges that the Board of Governors of the Federal Reserve System determines to be appropriate to meet the purposes of this section.

''(6) FEDERAL RESERVE BOARD AUTHORITY.—The Board of Governors of the Federal Reserve System may cease the collection of information with regard to any particular fee or charge specified in this subsection if the Board makes a determination that, on the basis of changing practices in the financial services industry, the collection of such information is no longer necessary to accomplish the purposes of this section.

''(c) ANNUAL REPORT TO CONGRESS REQUIRED.—

''(1) PREPARATION.—The Board of Governors of the Federal Reserve System shall prepare a report of the results of each survey conducted pursuant to subsections (a) and (b) of this section and section 136(b)(1) of the Consumer Credit Protection Act.

''(2) CONTENTS OF THE REPORT.—In addition to the data required to be collected pursuant to subsections (a) and (b), each report prepared pursuant to paragraph (1) shall include a description of any discernible trend, in the Nation as a whole, in a representative sample of the 50 States (selected with due regard for regional differences), and in each consolidated metropolitan statistical area (as defined by the Director of the Office of Management and Budget), in the cost and availability of the retail banking services, including those described in subsections (a) and (b) (including related fees and minimum balances), that delineates differences between institutions on the basis of the type of institution and the size of the institution, between large and small institutions of the same type, and any engagement of the institution in multistate activity.

''(3) SUBMISSION TO CONGRESS.—The Board of Governors of the Federal Reserve System shall submit an annual report to the Congress not later than June 1, 2004, and not later than June 1 of each subsequent year.

''(4) TRANSITION PROVISION.—Notwithstanding section 4(c)(3) of the Business Checking Freedom Act of 2002, the Board of Governors of the Federal Reserve System shall, on an interim basis, continue to comply with the requirements for the bank fee survey under the amendment made to this section by section 108 of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 for reports submitted to the Congress under this section not later than June 1, 2003, except that the Board shall incorporate within any such report, to the extent possible, any additional information on any credit card fee or charge that is available to the Board even though such information is not required by such amendment.

''(d) DEFINITIONS.—For purposes of this section, the term ''insured depository institution'' has the meaning given such term in section 3 of the Federal Deposit Insurance Act, and the term ''insured credit union'' has the meaning given such term in section 101 of the Federal Credit Union Act.''.

(2) AMENDMENT TO THE TRUTH IN LENDING ACT.—

(A) IN GENERAL.—Paragraph (1) of section 136(b) of the Truth in Lending Act (15 U.S.C. 1646(b)(1)) is amended to read as follows:

''(1) COLLECTION REQUIRED.—The Board shall collect, on a semiannual basis, from a broad sample of financial institutions which offer credit card services, credit card price and availability information including—

''(A) the information required to be disclosed under section 127(c) of this chapter;

''(B) the average total amount of finance charges paid by consumers; and

''(C) the following credit card rates and fees:

''(i) Application fees.

''(ii) Annual percentage rates for cash advances and balance transfers.

''(iii) Maximum annual percentage rate that may be charged when an account is in default.

''(iv) Fees for the use of convenience checks.

''(v) Fees for balance transfers.

''(vi) Fees for foreign currency conversions.''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect on January 1, 2003.

(3) REPEAL OF SUNSET PROVISION.—Section 108 of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 is hereby repealed.

(4) NONAPPLICABILITY OF OTHER PROVISION OF LAW.—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) shall not apply to any report required to be submitted under section 1002(b) of Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 19 of the Federal Reserve Act (12 U.S.C. 461) is amended—

(1) in subsection (b)(4) (12 U.S.C. 461(b)(4)), by striking subparagraph (C) and redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively; and

(2) in subsection (c)(1)(A) (12 U.S.C. 461(c)(1)(A)), by striking ''subsection (b)(4)(C)'' and inserting ''subsection (b)''.

SEC. 5. INCREASED FEDERAL RESERVE BOARD FLEXIBILITY IN SETTING RESERVE REQUIREMENTS.

Section 19(b)(2)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(2)(A)) is amended—

(1) in clause (i), by striking ''the ratio of 3 per centum'' and inserting ''a ratio not greater than 3 percent (and which may be zero)''; and

(2) in clause (ii), by striking ''and not less than 8 per centum,'' and inserting ''(and which may be zero),''.

SEC. 6. TRANSFER OF FEDERAL RESERVE SURPLUSES.

(a) IN GENERAL.—Section 7(b) of the Federal Reserve Act (12 U.S.C. 289(b)) is amended by adding at the end the following new paragraph:

''(4) ADDITIONAL TRANSFERS TO COVER INTEREST PAYMENTS FOR FISCAL YEARS 2002 THROUGH 2006.—

''(A) IN GENERAL.—In addition to the amounts required to be transferred from the surplus funds of the Federal reserve banks pursuant to subsection (a)(3), the Federal reserve banks shall transfer from such surplus funds to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury, such sums as are necessary to equal the net cost of section 19(b)(12) in each of the fiscal years 2002 through 2006.

''(B) ALLOCATION BY FEDERAL RESERVE BOARD.—Of the total amount required to be paid by the Federal reserve banks under subparagraph (A) for fiscal years 2002 through 2006, the Board of Governors of the Federal Reserve System shall determine the amount each such bank shall pay in such fiscal year.

''(C) REPLENISHMENT OF SURPLUS FUND PROHIBITED.—During fiscal years 2002 through 2006, no Federal reserve bank may replenish such bank's surplus fund by the amount of any transfer by such bank under subparagraph (A).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 7(a) of the Federal Reserve Act (12 U.S.C. 289(a)) is amended by adding at the end the following new paragraph:

''(3) PAYMENT TO TREASURY.—During fiscal years 2002 through 2006, any amount in the surplus fund of any Federal reserve bank in excess of the amount equal to 3 percent of the paid-in capital and surplus of the member banks of such bank shall be transferred to the Secretary of the Treasury for deposit in the general fund of the Treasury.''.

SEC. 7. RULE OF CONSTRUCTION.

In the case of an escrow account maintained at a depository institution in connection with a real estate transaction—

(1) the absorption, by the depository institution, of expenses incidental to providing a normal banking service with respect to such escrow account;

(2) the forbearance, by the depository institution, from charging a fee for providing any such banking function; and

(3) any benefit which may accrue to the holder or the beneficiary of such escrow account as a result of an action of the depository institution described in subparagraph (1) or (2) or similar in nature to such action, shall not be treated as the payment or receipt of interest for purposes of this Act and any provision of Public Law 93-100, the Federal Reserve Act, the Home Owners' Loan Act, or the Federal Deposit Insurance Act relating to the payment of interest on accounts or deposits at depository institutions.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. TOOMEY) and the gentleman from Texas (Mr. GONZALEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. TOOMEY).

GENERAL LEAVE

Mr. TOOMEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous materials on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TOOMEY. Mr. Speaker, I yield myself 5 minutes as I rise today in support of H.R. 1009, the Business Checking Freedom Act of 2002.

Let me begin by saying that as a former small business owner, I have seen firsthand just how challenging it can be to run and operate a small business and the endless headaches that come with playing so many roles: making a payroll every Friday, complying

with an almost endless amount of regulation, paperwork, and taxes.

It is an unfortunate fact that regulation itself, applied equally to large and small entities, is more burdensome to the smaller businesses, because they just have fewer resources with which to meet the needs of the regulatory environment and to cover the overhead costs. Despite these obstacles, many small businesses are thriving.

What I think we can do here in Congress is ask ourselves, Are there ways that we can help these businesses to thrive, help them expand their bottom line, help them to hire more workers, become more productive, and contribute more to our economy? I think we can do that by fostering an environment where the free enterprise market system can thrive. Part of that means eliminating unnecessary regulation. That is something we can do today.

It may be hard to believe for many folks, but we actually have a law on the books today that prohibits banks from even having the option of offering to pay interest on the checking accounts held by businesses with those banks. It is actually illegal for a bank in America to pay interest to a business that keeps a balance in its checking account.

Now, this has implications. The inability of depository institutions to pay interest on these business checking accounts really hurts all sectors of our economy, but the harm is especially pronounced on small businesses. Specifically, it means that the small florist shop in Pennsburg, Pennsylvania, cannot earn any interest on the hard-earned balance that they have to keep in their checking account to pay the bills. Over the course of a year or two, that could mean several hundred dollars. In time it could mean the difference between making a payroll and not making a payroll.

It means the auto mechanics shop on Northampton Street in Easton, Pennsylvania, cannot earn the interest on their hard-earned checking account balance, and that could make the difference in investing in the latest technology for diagnostic equipment for car repairs.

Now more than ever, a change in this law would be very helpful to businesses as they struggle through this economic slowdown and try to get this economy moving again.

Today, what Congress can do to help is we can pass H.R. 1009, the Business Checking Freedom Act of 2002. The bill contains several commonsense reforms; but most importantly, it eliminates the ban on the payment of interest on business checking accounts that is currently imposed on banks after a 2-year transition period. The ban has been in effect since the Great Depression. Frankly, it was probably never a very good idea, but it is certainly long overdue for appeal now; and today is our chance to abolish this ban.

Support for this bill is nearly universal. The U.S. Chamber of Commerce, the NFIB, the America's Community Bankers, the National Association of Federal Credit Unions, the Association for Financial Professionals, and the Independent Insurance Agents of America are just a handful of the independent organizations that support this bill.

In addition, on March 19 of this year, President Bush announced that repealing the prohibition on business interest checking would be included as part of his small business legislative plan.

In addition to the President, the Federal regulators support this legislative change as well. In their 1996 joint report, ''Streamlining of Regulatory Requirements,'' the Board of Governors of the Federal Reserve System, the FDIC, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision stated that they believe that the 1933 statutory prohibition against payment of interest on business checking accounts ''no longer serves a public purpose.''

There is another important feature that I would like to touch on briefly in this bill, and that is that in addition to providing small business with much-needed relief, H.R. 1009 would authorize a payment of interest on certain reserves that banks are required to maintain at the Federal Reserve, the so-called ''sterile reserves.'' Just as it makes no sense to prohibit banks from paying interest on business checking, it also makes no sense to continue to prohibit the Federal Reserve from paying interest to banks on their sterile reserves.

Federal Reserve Chairman Alan Greenspan has testified before our committee, the Committee on Financial Services, that repealing the prohibition against paying interest on sterile reserves would have the additional benefit of facilitating the Federal Reserve's management of U.S. monetary policy. In part because the Fed pays no interest on these Reserves, balances at Federal Reserve banks have declined dramatically in recent years. The Federal Reserve believes that paying interest on these reserves would have the effect of stemming that decline and thereby enhancing their ability to conduct monetary policy.

I would like to thank the gentleman from Ohio (Mr. OXLEY), the chairman of this committee, and the gentleman from New York (Mr. LAFALCE), the ranking member, for their strong support of this bill and for bringing it to the House floor today. I would also like to thank the gentlewoman from New York (Mrs. KELLY) and the gentleman from Pennsylvania (Mr. KANJORSKI) for their contributions, their support, and their leadership on this legislation. I believe this legislation is long overdue. I am hopeful that the other Chamber will soon bring it up as well. I urge my colleagues to pass this pro-small business, pro-small bank, pro-free market legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GONZALEZ. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1009. This legislation repeals an outdated prohibition against banks paying interest to their business customers on their checking accounts, and we support it wholeheartedly.

The repeal of the ban on interest-bearing checking accounts represents another important step in the modernization of our financial services industry. This ban was adopted in the Great Depression out of fear that banks seeking business accounts would bid against each other with higher interest rates and, thus, contribute to bank insolvencies. Federal banking agencies have all concluded that the ban no longer serves a useful public purpose and that it is outdated in this modern financial services environment.

Mr. Speaker, H.R. 1009 promotes healthy competition within the financial services community for commercial checking accounts, which can only benefit the business community, particularly the small business community, with more efficient, cost-effective financial services.

Current law and market conditions prevent many small businesses from obtaining easy access to interest-bearing checking accounts, while many larger businesses and their banks have found a way around the interest prohibition through complicated sweep accounts and other devices. This legislation would end this discrepancy between small and large businesses and, ultimately, increase the efficiency of the Nation's economy.

□ 1530

I do share the concerns of many of my colleagues on the Committee on Financial Services that the Federal Reserve sterile reserve interest payment provisions of this bill may contribute to the budget deficit. But I believe that H.R. 1009, on balance, makes an important and necessary contribution to the long-term health of our Nation's economy.

I would also like to note that this bill includes a Democratic-sponsored provision that will provide an annual assessment by the Federal Reserve of the fees charged retail bank accounts. With fees representing an ever-growing share of bank earnings, an annual survey of retail bank fees is, in my view, increasingly important.

Mr. Speaker, I believe H.R. 1009 makes an important contribution to improving the financing opportunities for many small businesses across the country.

Mr. Speaker, I urge my colleagues to vote for the bill, and I reserve the balance of my time.

Mr. TOOMEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the gentleman from Texas (Mr. GONZALEZ) for his leadership and support of this legislation.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I want to thank the gentleman from Pennsylvania for yielding this time to me, and for agreeing to engage in a colloquy on section 7 of the Business Checking Freedom Act of 2002.

I also want to thank him for including in this bill section 7, rule of construction. This provision addresses the treatment of certain services and benefits provided by banks in connection with escrow accounts for real estate closing transactions. It makes certain that the current legal definition of interest and the existing legal treatment of real estate closing escrow transactions remain the same.

Under current Federal law and regulations, particularly the Federal Reserve's regulation Q, banks may provide depositors with services and benefits, instead of interest. I originally asked that a similar provision be included in H.R. 974 in committee.

My interest in the issue stems from my experiences handling real estate closings early in my legal career and seeing firsthand the importance of regulation Q. I am grateful that adjustments are being made in the current version, and that the bill is moving forward.

Section 7 is especially important to title insurance companies, agents, and attorneys, who, like other businesses, often receive free or lower-cost bank services instead of interest on their real estate escrow accounts.

By not treating such services and benefits as constituting the payment of interest, the Federal Reserve ensures a real estate closing system that benefits both those who are delivering real estate services and those borrowers who receive the ultimate benefits of more efficient, lower-cost services.

In my legal practice, I became very familiar with these types of arrangements, and can attest to the fact that they facilitated and made more efficient the real estate closing process.

I strongly support this provision of the bill, and would ask the gentleman from Pennsylvania (Mr. TOOMEY) if he is of the same view regarding the intent of this provision.

Mr. TOOMEY. Mr. Speaker, will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from Pennsylvania.

Mr. TOOMEY. Mr. Speaker, I would tell the gentlewoman, having supported this provision since we first considered this bill last year, I assure the gentlewoman that I agree with her. This provision rightfully preserves the current status of real estate escrow accounts held in connection with real estate closing transactions, and specifically in services and benefits that banks may provide instead of interest on such accounts.

Mrs. BIGGERT. I thank the gentleman for this clarification, Mr. Speaker.

Mr. GONZALEZ. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TOOMEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS), chairman of the Subcommittee on Financial Institutions and Consumer Credit.

Mr. BACHUS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of H.R. 1009. I first want to commend the gentleman from Pennsylvania (Mr. TOOMEY) for bringing this legislation to the floor. This is important legislation.

Members will recall that the House passed legislation very similar to this, which the gentleman from Pennsylvania (Mr. TOOMEY) sponsored back in April of last year. Then, at the end of last year, we passed the terrorist insurance legislation. We passed several other important pieces of legislation designed to get the economy going, designed to eliminate unnecessary regulations, to stimulate growth, to create jobs, and to end the recession in our regulations.

This legislation, like the terrorist insurance legislation that President Bush strongly urged the other body to get to work in passing, has not been passed by the other body. It is time that we sent this legislation out with a strong vote and a strong message to the other body to get to work passing this legislation and other important legislation.

This legislation had strong bipartisan support. I want to commend the gentleman from Texas (Mr. GONZALEZ) and the gentleman from Pennsylvania (Mr. TOOMEY). In speaking on this legislation, they basically have already outlined to this House amply why we need this legislation.

Mr. Speaker, this is critically important to small businesses. Large corporations use sweep accounts. They use sophisticated computer programs and complex programs to earn interest on their commercial deposits. Small business owners do not get those same benefits.

Money center banks can attract deposits from large corporate customers. They promise them, through sweep accounts, that they will be compensated for the use of their money. Our small community banks do not do this, or it would cost them a great expense to do this.

This legislation would simply enable the small businesses, whether it is a florist, a body shop, an auto body shop, a law firm, a doctor's office, a beauty shop, it will allow them to get the same benefits that large corporations are getting today.

It will also allow the small community banks to attract deposits. We all know that that is key for the small banks or community banks in attracting deposits, keeping those deposits and keeping those monies in the local communities.

Again, I want to commend the gentleman from Pennsylvania (Mr. TOOMEY) and the other party, the minority party, the gentleman from Pennsylvania (Mr. KANJORSKI) and the gentleman from Texas (Mr. GONZALEZ).

Also, finally, I want to commend the gentlewoman from New York (Mrs. KELLY) for her work on this bill, and the chairman of the full committee, the gentleman from Ohio (Mr. OXLEY).

Mr. TOOMEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank the gentleman for giving me this time, and I rise in strong support of the bill offered by the gentleman from Pennsylvania (Mr. TOOMEY), which is titled H.R. 1009, the Business Checking Freedom Act.

Mr. Speaker, this bill really follows in the footsteps of groundbreaking legislation that we already passed in the House of Representatives when we repealed outdated Depression era constraints on the financial services industry and moved to move that industry into the 21st century.

Giving banks the ability to pay interest on business checking accounts has been endorsed by the President as part of his small business agenda. The Federal Reserve Board also has long supported efforts to allow banks to offer interest on demand accounts, and the measure enjoys a broad base of industry support, including support from the National Federation of Independent Businesses, from the U.S. Chamber of Commerce, from America's Community Bankers, from the National Association of Federal Credit Unions, from the Association of Financial Professionals, and from the Independent Insurance Agents of America.

The inability of depository institutions to pay interest on business accounts hurts all sectors of the economy and decreases the overall competitiveness of the American markets. This legislation gives small businesses the jumpstart they need to create new jobs and improve the economy while removing burdensome regulations from small banks and allowing the market to work. I think that is the point that the author, the gentleman from Pennsylvania (Mr. TOOMEY), makes so well.

Mr. Speaker, I strongly encourage all of my colleagues to support this legislation and to strike a victory for the American economy. I recognize that many businesses, by the way, maintain what are called ''now accounts.'' Those that do will not receive this benefit. I hope that in the future, as this legislation moves, the restriction on interest on corporate now accounts is also repealed.

Lastly, I just want to thank the gentleman from Pennsylvania (Mr. TOOMEY) for the opportunity to speak in support of his important bill.

Mr. TOOMEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think the case has been made very clearly that it is long past time to repeal this really archaic Depression era law that no longer serves any useful purpose, if it ever did.

I urge my colleagues to support this bill.

Mr. OXLEY. Mr. Speaker, the legislation the House considers today represents the Financial Services Committee's continuing efforts to modernize America's laws so that they promote economic growth and the free market. Today's legislation is but one of many needed reforms to ensure that outdated thinking doesn't stifle the competitive forces of markets, and the changes made by H.R. 1009 are long overdue.

Under current law, small businesses are the only entities which must leave their capital lying idle in non-interest bearing accounts. The Business Checking Freedom Act of 2002 corrects this problem. This change is simply common sense, which is why a similar measure sponsored by Representative KELLY was passed by this body over a year ago. Unfortunately, as has been the case with so many important reforms passed by the House this Congress, the other body has refused to take up Representative KELLY's bill for consideration. While the other body waits, millions of small businesses across America are denied the opportunity to earn interest, which they could put towards hiring more workers and improving their operations.

H.R. 1009 is an important reform that will have tangible effects on our economy. That's why the President included these reforms in his plan for revitalizing small business and entrepreneurship. It is also why Federal Reserve Chairman Alan Greenspan supports this bill. By passing this legislation today the House will continue to demonstrate its leadership in improving our laws to reflect the realities of the 21st century.

Mr. Speaker, it is time for the other body to follow our lead. I thank Representative TOOMEY for his outstanding leadership in this area. His efforts will help small businessmen and women across America, and as Chairman of the Financial Services Committee I am grateful. I urge all of my colleagues to support H.R. 1009.

Mr. TOOMEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from Pennsylvania (Mr. TOOMEY) that the House suspend the rules and pass the bill, H.R. 1009, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1836

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 36 minutes p.m.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. PHELPS. Madam Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer the following motion to instruct House conferees tomorrow on H.R. 2646.

The form of the motion is as follows: Mr. PHELPS moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646, an act to provide for the continuation of agricultural programs through fiscal year 2011, be instructed to agree to the provisions contained in section 1071 of the Senate amendment, relating to reenactment of the family farmer bankruptcy provisions contained in chapter 12 of Title 11, United States Code.

Madam Speaker, I plan to offer this motion with the gentleman from Pennsylvania (Mr. HOLDEN).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

Journal vote, de novo;

House Resolution 377, by the yeas and nays;

H.R. 3958, by the yeas and nays;

House Resolution 363, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

THE JOURNAL

Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on agreeing to the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LAHOOD. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 361, nays 43, answered ''present'' 1, not voting 29, as follows:

[Roll No. 80]

YEAS—361

Abercrombie	Etheridge	Lee
Ackerman	Evans	Levin
Akin	Farr	Lewis (GA)
Allen	Fattah	Lewis (KY)
Andrews	Ferguson	Linder
Armey	Flake	Lipinski
Baca	Fletcher	Lofgren
Bachus	Foley	Lowey
Baird	Forbes	Lucas (KY)
Baker	Ford	Lucas (OK)
Baldacci	Frank	Luther
Baldwin	Frelinghuysen	Lynch
Ballenger	Frost	Maloney (CT)
Barcia	Gallegly	Maloney (NY)
Barr	Ganske	Manzullo
Barrett	Gekas	Markey
Bartlett	Gibbons	Mascara
Barton	Gilchrest	Matheson
Bass	Gillmor	Matsui
Bentsen	Gilman	McCarthy (MO)
Bereuter	Gonzalez	McCarthy (NY)
Berkley	Goode	McCollum
Berman	Goodlatte	McCrery
Berry	Gordon	McGovern
Biggert	Goss	McHugh
Bilirakis	Graham	McInnis
Bishop	Granger	McIntyre
Blumenauer	Graves	McKeon
Blunt	Green (WI)	Meehan
Boehlert	Greenwood	Meek (FL)
Boehner	Grucci	Meeks (NY)
Bonilla	Hall (OH)	Millender-McDonald
Bonior	Hall (TX)	Miller, Dan
Bono	Hansen	Miller, Gary
Boozman	Harman	Miller, Jeff
Boswell	Hart	Mink
Boucher	Hastings (FL)	Moran (KS)
Boyd	Hastings (WA)	Moran (VA)
Brady (TX)	Hayes	Morella
Brown (OH)	Hayworth	Murtha
Brown (SC)	Herger	Myrick
Bryant	Hill	Nadler
Burr	Hilleary	Napolitano
Callahan	Hinchey	Neal
Camp	Hinojosa	Nethercutt
Cantor	Hobson	Ney
Capito	Hoeffel	Northup
Capps	Hoekstra	Norwood
Cardin	Holden	Nussle
Carson (IN)	Holt	Obey
Carson (OK)	Honda	Ortiz
Castle	Hooley	Osborne
Chabot	Horn	Ose
Chambliss	Hostettler	Otter
Clay	Houghton	Owens
Clayton	Hoyer	Oxley
Clyburn	Hyde	Pallone
Coble	Inslee	Pascrell
Combest	Isakson	Pastor
Conyers	Israel	Paul
Cooksey	Issa	Payne
Cox	Istook	Pelosi
Coyne	Jackson (IL)	Pence
Cramer	Jackson-Lee (TX)	Peterson (PA)
Crenshaw	Jefferson	Petri
Crowley	Jenkins	Phelps
Cubin	John	Pickering
Culberson	Johnson (CT)	Pitts
Cummings	Johnson (IL)	Pomeroy
Cunningham	Johnson, E. B.	Portman
Davis (CA)	Johnson, Sam	Price (NC)
Davis (FL)	Jones (OH)	Putnam
Davis (IL)	Kanjorski	Quinn
Davis, Jo Ann	Kaptur	Rahall
Davis, Tom	Keller	Ramstad
Deal	Kelly	Rangel
DeGette	Kennedy (RI)	Regula
Delahunt	Kerns	Rehberg
DeLauro	Kildee	Reyes
DeLay	Kilpatrick	Reynolds
DeMint	Kind (WI)	Rivers
Deutsch	King (NY)	Rodriguez
Diaz-Balart	Kingston	Roemer
Dicks	Kirk	Rogers (KY)
Doggett	Kleczka	Rogers (MI)
Dooley	Knollenberg	Rohrabacher
Doolittle	Kolbe	Ros-Lehtinen
Dreier	LaFalce	Ross
Duncan	LaHood	Rothman
Dunn	Lampson	Roukema
Edwards	Langevin	Roybal-Allard
Ehlers	Lantos	Royce
Ehrlich	Larson (CT)	Rush
Emerson	LaTourette	Ryun (KS)
Engel	Leach	Sanchez
Eshoo		

Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Stump
Stupak
Sullivan
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—43

Aderholt
Brady (PA)
Capuano
Condit
Costello
Crane
DeFazio
Dingell
English
Everett
Filner
Green (TX)
Gutknecht
Hefley
Hilliard
Kennedy (MN)
Kucinich
Larsen (WA)
Latham
LoBiondo
McDermott
McNulty
Menendez
Miller, George
Moore
Oberstar
Olver
Peterson (MN)
Pombo
Sabo
Schaffer
Slaughter
Strickland
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Weller
Whitfield
Wicker

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—29

Becerra
Blagojevich
Borski
Brown (FL)
Burton
Buyer
Calvert
Cannon
Clement
Collins
Doyle
Fossella
Gephardt
Gutierrez
Hulshof
Hunter
Jones (NC)
Lewis (CA)
McKinney
Mica
Mollohan
Platts
Pryce (OH)
Radanovich
Riley
Ryan (WI)
Sessions
Traficant
Young (FL)

□ 1909

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). At a certain time during this vote, some voting stations were temporarily inoperative. The Chair urges all Members to verify their votes prior to the Chair's announcement of the result.

□ 1909

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair's prior announcement on voting on House Resolution 363 is corrected to postpone that yea and nay vote until tomorrow.

There will now be two 5-minute votes.

RECOGNIZING ELLIS ISLAND MEDAL OF HONOR AND COMMENDING NATIONAL ETHNIC COALITION OF ORGANIZATIONS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 377.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 377, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 31, as follows:

[Roll No. 81]

YEAS—403

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Callahan
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—31

Becerra
Blagojevich
Borski
Brown (FL)
Burton
Buyer
Calvert
Cannon
Clement
Collins
Doyle
Fossella
Gephardt
Gutierrez
Hoyer
Hulshof
Jones (NC)
Lewis (CA)
McKinney
Mica
Mollohan
Pryce (OH)
Radanovich
Riley
Ryan (WI)
Sessions
Traficant
Velazquez
Waters
Watson (CA)
Young (FL)

□ 1919

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BEAR RIVER MIGRATORY BIRD REFUGE SETTLEMENT ACT OF 2002

The SPEAKER pro tempore (Mrs. BIGGERT). The pending business is the question of suspending the rules and passing the bill, H.R. 3958, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and

pass the bill, H.R. 3958, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 6, not voting 32, as follows:

[Roll No. 82]

YEAS—396

Abercrombie	Dicks	Johnson (CT)
Ackerman	Dingell	Johnson (IL)
Aderholt	Doggett	Johnson, E. B.
Akin	Dooley	Johnson, Sam
Allen	Doolittle	Jones (OH)
Andrews	Dreier	Kanjorski
Armey	Duncan	Kaptur
Baca	Dunn	Keller
Bachus	Edwards	Kelly
Baird	Ehlers	Kennedy (MN)
Baker	Ehrlich	Kennedy (RI)
Baldacci	Emerson	Kildee
Baldwin	Engel	Kilpatrick
Barcia	English	Kind (WI)
Barr	Eshoo	King (NY)
Barrett	Etheridge	Kingston
Bartlett	Evans	Kirk
Barton	Everett	Kleczka
Bass	Farr	Knollenberg
Bentsen	Fattah	Kolbe
Bereuter	Ferguson	Kucinich
Berkley	Filner	LaFalce
Berman	Fletcher	LaHood
Berry	Foley	Lampson
Biggert	Forbes	Langevin
Bilirakis	Ford	Lantos
Bishop	Frank	Larsen (WA)
Blumenauer	Frelinghuysen	Larson (CT)
Blunt	Frost	Latham
Boehlert	Gallegly	LaTourette
Boehner	Ganske	Leach
Bonilla	Gekas	Lee
Bonior	Gibbons	Levin
Bono	Gilchrest	Lewis (GA)
Boozman	Gillmor	Lewis (KY)
Boswell	Gilman	Linder
Boucher	Gonzalez	Lipinski
Boyd	Goodlatte	LoBiondo
Brady (PA)	Gordon	Lofgren
Brady (TX)	Goss	Lowey
Brown (OH)	Graham	Lucas (KY)
Brown (SC)	Granger	Lucas (OK)
Bryant	Graves	Luther
Burr	Green (TX)	Lynch
Callahan	Green (WI)	Maloney (CT)
Camp	Greenwood	Maloney (NY)
Cantor	Grucci	Manzullo
Capito	Gutknecht	Markey
Capps	Hall (OH)	Mascara
Capuano	Hall (TX)	Matheson
Cardin	Hansen	Matsui
Carson (IN)	Harman	McCarthy (MO)
Carson (OK)	Hart	McCarthy (NY)
Castle	Hastings (FL)	McCollum
Chabot	Hastings (WA)	McCrery
Chambliss	Hayes	McDermott
Clay	Hayworth	McGovern
Clayton	Hefley	McHugh
Clyburn	Herger	McInnis
Combest	Hill	McIntyre
Condit	Hilleary	McKeon
Conyers	Hilliard	McNulty
Cooksey	Hinchey	Meehan
Costello	Hinojosa	Meek (FL)
Cox	Hobson	Meeks (NY)
Coyne	Hoeffel	Menendez
Cramer	Hoekstra	Millender-McDonald
Crane	Holden	Miller, Dan
Crenshaw	Holt	Miller, Gary
Crowley	Honda	Miller, George
Cubin	Hooley	Miller, Jeff
Culberson	Horn	Mink
Cummings	Hostettler	Moore
Cunningham	Houghton	Moran (KS)
Davis (CA)	Hoyer	Moran (VA)
Davis (FL)	Hunter	Morella
Davis (IL)	Hyde	Murtha
Davis, Jo Ann	Inslee	Myrick
Davis, Tom	Isakson	Nadler
Deal	Israel	Napolitano
DeFazio	Issa	Neal
DeGette	Istook	Nethercutt
Delahunt	Jackson (IL)	Ney
DeLauro	Jackson-Lee (TX)	Northup
DeLay	Jefferson	Norwood
DeMint	Jenkins	Nussle
Deutsch	John	Oberstar
Diaz-Balart	Johnson, Sam	Obey
Dicks	Jones (OH)	Olver
Dingell	Kanjorski	Ortiz
Doggett	Kaptur	Osborne
Dooley	Keller	Ose
Doolittle	Kelly	Otter
Dreier	Kennedy (MN)	Owens
Duncan	Kennedy (RI)	Oxley
Dunn	Kildee	Pallone
Edwards	Kilpatrick	Pascrell
Ehlers	Kind (WI)	Pastor
Ehrlich	King (NY)	Payne
Emerson	Kingston	Pelosi
Engel	Kirk	Pence
English	Kleczka	Peterson (MN)
Eshoo	Knollenberg	Peterson (PA)
Etheridge	Kolbe	Petri
Evans	Kucinich	Phelps
Everett	LaFalce	Pickering
Farr	LaHood	Pitts
Fattah	Lampson	Platts
Ferguson	Langevin	Pombo
Filner	Lantos	Pomeroy
Fletcher	Larsen (WA)	Portman
Foley	Larson (CT)	Price (NC)
Forbes	Latham	Putnam
Ford	LaTourette	Quinn
Frank	Leach	Rahall
Frelinghuysen	Lee	Ramstad
Frost	Levin	Rangel
Gallegly	Lewis (GA)	Regula
Ganske	Lewis (KY)	Rehberg
Gekas	Linder	Reyes
Gibbons	Lipinski	Reynolds
Gilchrest	LoBiondo	Rivers
Gillmor	Lofgren	Rodriguez
Gilman	Lowey	Roemer
Gonzalez	Lucas (KY)	Rogers (KY)
Goodlatte	Lucas (OK)	Rogers (MI)
Gordon	Luther	Rohrabacher
Goss	Lynch	Ros-Lehtinen
Graham	Maloney (CT)	Ross
Granger	Maloney (NY)	Rothman
Graves	Manzullo	Roybal-Allard
Green (TX)	Markey	Royce
Green (WI)	Mascara	Rush
Greenwood	Matheson	Ryun (KS)
Grucci	Matsui	Sabo
Gutknecht	McCarthy (MO)	Sanchez
Hall (OH)	McCarthy (NY)	Sanders
Hall (TX)	McCollum	Sandlin
Hansen	McCrery	Sawyer
Harman	McDermott	Saxton
Hart	McGovern	Schaffer
Hastings (FL)	McHugh	Schakowsky
Hastings (WA)	McInnis	Schiff
Hayes	McIntyre	Schrock
Hayworth	McKeon	Serrano
Hefley	McNulty	Shadegg
Herger	Meehan	Shaw
Hill	Meek (FL)	Shays
Hilleary	Meeks (NY)	Sherman
Hilliard	Menendez	Sherwood
Hinchey	Millender-McDonald	Shimkus
Hinojosa	Miller, Dan	Shows
Hobson	Miller, Gary	Shuster
Hoeffel	Miller, George	Simmons
Hoekstra	Miller, Jeff	Simpson
Holden	Mink	Skeen
Holt	Moore	Skelton
Honda	Moran (KS)	Slaughter
Hooley	Moran (VA)	Smith (NJ)
Horn	Morella	Smith (TX)
Hostettler	Murtha	Smith (WA)
Houghton	Myrick	Snyder
Hoyer	Nadler	Solis
Hunter	Napolitano	Souder
Hyde	Neal	Spratt
Inslee	Nethercutt	Stark
Isakson	Ney	Stenholm
Israel	Northup	Strickland
Issa	Norwood	Stump
Istook	Nussle	Stupak
Jackson (IL)	Oberstar	Sullivan
Jackson-Lee (TX)	Obey	Sununu
Jefferson	Olver	Sweeney
Jenkins	Ortiz	Tancredo
John	Osborne	Tanner
Johnson (CT)	Ose	Tauscher
Johnson (IL)	Otter	Tauzin
Johnson, E. B.	Owens	Taylor (MS)
Johnson, Sam	Oxley	Taylor (NC)
Jones (OH)	Pallone	Terry
Kanjorski	Pascrell	Thomas
Kaptur	Pastor	Thompson (CA)
Keller	Payne	Thompson (MS)
Kelly	Pelosi	Thornberry
Kennedy (MN)	Pence	Thune
Kennedy (RI)	Peterson (MN)	Thurman
Kildee	Peterson (PA)	Tiahrt
Kilpatrick	Petri	Tiberi
Kind (WI)	Phelps	Tierney
King (NY)	Pickering	Toomey
Kingston	Pitts	Towns
Kirk	Platts	Turner
Kleczka	Pombo	Udall (CO)
Knollenberg	Pomeroy	Udall (NM)
Kolbe	Portman	Upton
Kucinich	Price (NC)	Velazquez
LaFalce	Putnam	Visclosky
LaHood	Quinn	Vitter
Lampson	Rahall	Walden
Langevin	Ramstad	Walsh
Lantos	Rangel	Wamp
Larsen (WA)	Regula	Waters
Larson (CT)	Rehberg	Watkins (OK)
Latham	Reyes	Watson (CA)
LaTourette	Reynolds	Watt (NC)
Leach	Rivers	Watts (OK)
Lee	Rodriguez	Waxman
Levin	Roemer	Weiner
Lewis (GA)	Rogers (KY)	Weldon (FL)
Lewis (KY)	Rogers (MI)	Weldon (PA)
Linder	Rohrabacher	Weller
Lipinski	Ros-Lehtinen	Wexler
LoBiondo	Ross	Whitfield
Lofgren	Rothman	Wicker
Lowey	Roybal-Allard	Wilson (NM)
Lucas (KY)	Royce	Wilson (SC)
Lucas (OK)	Rush	Wolf
Luther	Ryun (KS)	Woolsey
Lynch	Sabo	Wu
Maloney (CT)	Sanchez	Wynn
Maloney (NY)	Sanders	Young (AK)
Manzullo	Sandlin	Young (FL)
Markey	Sawyer	
Mascara	Saxton	
Matheson	Schaffer	
Matsui	Schakowsky	
McCarthy (MO)	Schiff	
McCarthy (NY)	Schrock	
McCollum	Serrano	
McCrery	Shadegg	
McDermott	Shaw	
McGovern	Shays	
McHugh	Sherman	
McInnis	Sherwood	
McIntyre	Shimkus	
McKeon	Shows	
McNulty	Shuster	
Meehan	Simmons	
Meek (FL)	Simpson	
Meeks (NY)	Skeen	
Menendez	Skelton	
Millender-McDonald	Slaughter	
Miller, Dan	Smith (NJ)	
Miller, Gary	Smith (TX)	
Miller, George	Smith (WA)	
Miller, Jeff	Snyder	
Mink	Solis	
Moore	Souder	
Moran (KS)	Spratt	
Moran (VA)	Stark	
Morella	Stenholm	
Murtha	Strickland	
Myrick	Stump	
Nadler	Stupak	
Napolitano	Sullivan	
Neal	Sununu	
Nethercutt	Sweeney	
Ney	Tancredo	
Northup	Tanner	
Norwood	Tauscher	
Nussle	Tauzin	
Oberstar	Taylor (MS)	
Obey	Taylor (NC)	
Olver	Terry	
Ortiz	Thomas	
Osborne	Thompson (CA)	
Ose	Thompson (MS)	
Otter	Thornberry	
Owens	Thune	
Oxley	Thurman	
Pallone	Tiahrt	
Pascrell	Tiberi	
Pastor	Tierney	
Payne	Toomey	
Pelosi	Towns	
Pence	Turner	
Peterson (MN)	Udall (CO)	
Peterson (PA)	Udall (NM)	
Petri	Upton	
Phelps	Velazquez	
Pickering	Visclosky	
Pitts	Vitter	
Platts	Walden	
Pombo	Walsh	
Pomeroy	Wamp	
Portman	Waters	
Price (NC)	Watkins (OK)	
Putnam	Watson (CA)	
Quinn	Watt (NC)	
Rahall	Watts (OK)	
Ramstad	Waxman	
Rangel	Weiner	
Regula	Weldon (FL)	
Rehberg	Weldon (PA)	
Reyes	Weller	
Reynolds	Wexler	
Rivers	Whitfield	
Rodriguez	Wicker	
Roemer	Wilson (NM)	
Rogers (KY)	Wilson (SC)	
Rogers (MI)	Wolf	
Rohrabacher	Woolsey	
Ros-Lehtinen	Wu	
Ross	Wynn	
Rothman	Young (AK)	
Roybal-Allard	Young (FL)	
Royce		

NAYS—6

Coble	Kerns	Sensenbrenner
Flake	Paul	Stearns

NOT VOTING—32

Ballenger	Doyle	Pryce (OH)
Becerra	Fossella	Radanovich
Blagojevich	Gephardt	Riley
Borski	Goode	Roukema
Brown (FL)	Gutierrez	Ryan (WI)
Burton	Hulshof	Scott
Buyer	Jones (NC)	Sessions
Calvert	Lewis (CA)	Smith (MI)
Cannon	McKinney	Traficant
Clement	Mica	Young (FL)
Collins	Mollohan	

□ 1929

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3925, DIGITAL TECH CORPS ACT OF 2002

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 107–393) on the resolution (H. Res. 380) providing for consideration of the bill (H.R. 3925) to establish an exchange program between the Federal Government and the private sector in order to promote the development of expertise in information technology management, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the further motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. FLAKE. Madam Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 2646 tomorrow. The form of the motion is as follows:

Mr. FLAKE of Arizona moves that the managers on the part of the House at the conference on disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646 (an act to provide for the continuation of agricultural programs through fiscal year 2011) be instructed to agree to section 1144(g)(1)(C) of the Food Security Act of 1985, as added by section 204 of the Senate amendment.

□ 1930

TAXPAYER PROTECTION AND IRS ACCOUNTABILITY ACT OF 2002

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3991) to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service, as amended.

The Clerk read as follows:

H.R. 3991

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Taxpayer Protection and IRS Accountability Act of 2002''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

TITLE I—PENALTIES AND INTEREST

SEC. 101. REDUCTION OF FEDERAL TAX DEPOSIT PENALTY.

(a) IN GENERAL.—Subparagraph (A) of section 6656(b)(1) is amended to read as follows:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'applicable percentage' means 2 percent.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to deposits required to be made after December 31, 2002.

SEC. 102. FAILURE TO PAY ESTIMATED TAX PENALTY CONVERTED TO INTEREST CHARGE ON ACCUMULATED UNPAID BALANCE.

(a) PENALTY MOVED TO INTEREST CHAPTER OF CODE.—The Internal Revenue Code of 1986 is amended by redesignating section 6654 as section 6641 and by moving section 6641 (as so redesignated) from part I of subchapter A of chapter 68 to the end of subchapter E of chapter 67 (as added by subsection (e)(1) of this section).

(b) PENALTY CONVERTED TO INTEREST CHARGE.—The heading and subsections (a) and (b) of section 6641 (as so redesignated) are amended to read as follows:

''SEC. 6641. INTEREST ON FAILURE BY INDIVIDUAL TO PAY ESTIMATED INCOME TAX.

''(a) IN GENERAL.—Interest shall be paid on any underpayment of estimated tax by an individual for a taxable year for each day of such underpayment. The amount of such interest for any day shall be the product of the underpayment rate established under subsection (b)(2) multiplied by the amount of the underpayment.

''(b) AMOUNT OF UNDERPAYMENT; INTEREST RATE.—For purposes of subsection (a)—

''(1) AMOUNT.—The amount of the underpayment on any day shall be the excess of—

''(A) the sum of the required installments for the taxable year the due dates for which are on or before such day, over

''(B) the sum of the amounts (if any) of estimated tax payments made on or before such day on such required installments.

''(2) DETERMINATION OF INTEREST RATE.—

''(A) IN GENERAL.—The underpayment rate with respect to any day in an installment underpayment period shall be the underpayment rate established under section 6621 for the first day of the calendar quarter in which such installment underpayment period begins.

''(B) INSTALLMENT UNDERPAYMENT PERIOD.—For purposes of subparagraph (A), the term 'installment underpayment period' means the period beginning on the day after the due date for a required installment and ending on the due date for the subsequent required installment (or in the case of the 4th required installment, the 15th day of the 4th month following the close of a taxable year).

''(C) DAILY RATE.—The rate determined under subparagraph (A) shall be applied on a daily basis and shall be based on the assumption of 365 days in a calendar year.

''(3) TERMINATION OF ESTIMATED TAX INTEREST.—No day after the end of the installment underpayment period for the 4th required installment specified in paragraph (2)(B) for a taxable year shall be treated as a day of underpayment with respect to such taxable year.''.

(c) INCREASE IN SAFE HARBOR WHERE TAX IS SMALL.—

(1) IN GENERAL.—Clause (i) of section 6641(d)(1)(B) (as so redesignated) is amended to read as follows:

''(i) the lesser of—

''(I) 90 percent of the tax shown on the return for the taxable year (or, if no return is filed, 90 percent of the tax for such year), or

''(II) the tax shown on the return for the taxable year (or, if no return is filed, the tax for such year) reduced (but not below zero) by $2,000, or''.

(2) CONFORMING AMENDMENT.—Subsection (e) of section 6641 (as so redesignated) is amended by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(d) CONFORMING AMENDMENTS.—

(1) Paragraphs (1) and (2) of subsection (e) (as redesignated by subsection (c)(2)) and subsection (h) of section 6641 (as so designated) are each amended by striking ''addition to tax'' each place it occurs and inserting ''interest''.

(2) Section 167(g)(5)(D) is amended by striking ''6654'' and inserting ''6641''.

(3) Section 460(b)(1) is amended by striking ''6654'' and inserting ''6641''.

(4) Section 3510(b) is amended—

(A) by striking ''section 6654'' in paragraph (1) and inserting ''section 6641'';

(B) by amending paragraph (2)(B) to read as follows:

''(B) no interest would be required to be paid (but for this section) under 6641 for such taxable year by reason of the $2,000 amount specified in section 6641(d)(1)(B)(i)(II).'';

(C) by striking ''section 6654(d)(2)'' in paragraph (3) and inserting ''section 6641(d)(2)''; and

(D) by striking paragraph (4).

(5) Section 6201(b)(1) is amended by striking ''6654'' and inserting ''6641''.

(6) Section 6601(h) is amended by striking ''6654'' and inserting ''6641''.

(7) Section 6621(b)(2)(B) is amended by striking ''addition to tax under section 6654'' and inserting ''interest required to be paid under section 6641''.

(8) Section 6622(b) is amended—

(A) by striking ''PENALTY FOR'' in the heading; and

(B) by striking ''addition to tax under section 6654 or 6655'' and inserting ''interest required to be paid under section 6641 or addition to tax under section 6655''.

(9) Section 6658(a) is amended—

(A) by striking ''6654, or 6655'' and inserting ''or 6655, and no interest shall be required to be paid under section 6641,''; and

(B) by inserting ''or paying interest'' after ''the tax'' in paragraph (2)(B)(ii).

(10) Section 6665(b) is amended—

(A) in the matter preceding paragraph (1) by striking '', 6654,''; and

(B) in paragraph (2) by striking ''6654 or''.

(11) Section 7203 is amended by striking ''section 6654 or 6655'' and inserting ''section 6655 or interest required to be paid under section 6641''.

(e) CLERICAL AMENDMENTS.—

(1) Chapter 67 is amended by inserting after subchapter D the following:

''Subchapter E—Interest on Failure by Individual to Pay Estimated Income Tax

''Sec. 6641. Interest on failure by individual to pay estimated income tax.''.

(2) The table of subchapters for chapter 67 is amended by adding at the end the following new items:

''Subchapter D. Notice requirements.

''Subchapter E. Interest on failure by individual to pay estimated income tax.''.

(3) The table of sections for part I of subchapter A of chapter 68 is amended by striking the item relating to section 6654.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to installment payments for taxable years beginning after December 31, 2002.

SEC. 103. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting after section 139 the following new section:

"SEC. 139A. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

''(a) IN GENERAL.—In the case of an individual, gross income shall not include interest paid under section 6611 on any overpayment of tax imposed by this subtitle.

''(b) EXCEPTION.—Subsection (a) shall not apply in the case of a failure to claim items resulting in the overpayment on the original return if the Secretary determines that the principal purpose of such failure is to take advantage of subsection (a).

''(c) SPECIAL RULE FOR DETERMINING MODIFIED ADJUSTED GROSS INCOME.—For purposes of this title, interest not included in gross income under subsection (a) shall not be treated as interest which is exempt from tax for purposes of sections 32(i)(2)(B) and 6012(d) or any computation in which interest exempt from tax under this title is added to adjusted gross income.''.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting after the item relating to section 139 the following new item:

''Sec. 139A. Exclusion from gross income for interest on overpayments of income tax by individuals.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received in calendar years beginning after the date of the enactment of this Act.

SEC. 104. ABATEMENT OF INTEREST.

(a) ABATEMENT OF INTEREST WITH RESPECT TO ERRONEOUS REFUND CHECK WITHOUT REGARD TO SIZE OF REFUND.—Paragraph (2) of section 6404(e) is amended by striking ''unless—'' and all that follows and inserting ''unless the taxpayer (or a related party) has in any way caused such erroneous refund.''.

(b) ABATEMENT OF INTEREST TO EXTENT INTEREST IS ATTRIBUTABLE TO TAXPAYER RELIANCE ON WRITTEN STATEMENTS OF THE IRS.—Subsection (f) of section 6404 is amended—

(1) in the subsection heading, by striking ''PENALTY OR ADDITION'' and inserting ''INTEREST, PENALTY, OR ADDITION''; and

(2) in paragraph (1) and in subparagraph (B) of paragraph (2), by striking ''penalty or addition'' and inserting ''interest, penalty, or addition''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to interest accruing on or after the date of the enactment of this Act.

SEC. 105. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS.

(a) IN GENERAL.—Subchapter B of chapter 67 (relating to interest on overpayments) is amended by redesignating section 6612 as section 6613 and by inserting after section 6611 the following new section:

"SEC. 6612. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS, ETC.

''(a) AUTHORITY TO MAKE DEPOSITS OTHER THAN AS PAYMENT OF TAX.—A taxpayer may make a cash deposit with the Secretary which may be used by the Secretary to pay any tax imposed under subtitle A or B or chapter 41, 42, 43, or 44 which has not been assessed at the time of the deposit. Such a deposit shall be made in such manner as the Secretary shall prescribe.

''(b) NO INTEREST IMPOSED.—To the extent that such deposit is used by the Secretary to pay tax, for purposes of section 6601 (relating to interest on underpayments), the tax shall be treated as paid when the deposit is made.

''(c) RETURN OF DEPOSIT.—Except in a case where the Secretary determines that collection of tax is in jeopardy, the Secretary shall return to the taxpayer any amount of the deposit (to the extent not used for a payment of tax) which the taxpayer requests in writing.

''(d) PAYMENT OF INTEREST.—

''(1) IN GENERAL.—For purposes of section 6611 (relating to interest on overpayments), a deposit which is returned to a taxpayer shall be treated as a payment of tax for any period to the extent (and only to the extent) attributable to a disputable tax for such period. Under regulations prescribed by the Secretary, rules similar to the rules of section 6601(e)(2) shall apply.

''(2) DISPUTABLE TAX.—

''(A) IN GENERAL.—For purposes of this section, the term 'disputable tax' means the amount of tax specified at the time of the deposit as the taxpayer's reasonable estimate of the maximum amount of any tax attributable to disputable items.

''(B) SAFE HARBOR BASED ON 30-DAY LETTER.—In the case of a taxpayer who has been issued a 30-day letter, the maximum amount of tax under subparagraph (A) shall not be less than the amount of the proposed deficiency specified in such letter.

''(3) OTHER DEFINITIONS.—For purposes of paragraph (2)—

''(A) DISPUTABLE ITEM.—The term 'disputable item' means any item of income, gain, loss, deduction, or credit which the taxpayer reasonably believes the Secretary has a reasonable basis for disputing the treatment on the taxpayer's return.

''(B) 30-DAY LETTER.—The term '30-day letter' means the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals.

''(4) RATE OF INTEREST.—The rate of interest allowable under this subsection shall be the Federal short-term rate determined under section 6621(b), compounded daily.

''(e) USE OF DEPOSITS.—

''(1) PAYMENT OF TAX.—Except as otherwise provided by the taxpayer, deposits shall be treated as used for the payment of tax in the order deposited.

''(B) RETURNS OF DEPOSITS.—Deposits shall be treated as returned to the taxpayer on a last-in, first-out basis.''

(b) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 67 is amended by striking the last item and inserting the following new items:

''Sec. 6612. Deposits made to suspend running of interest on potential underpayments, etc.

''Sec. 6613. Cross references.''

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to deposits made after the date of the enactment of this Act.

(2) COORDINATION WITH DEPOSITS MADE UNDER REVENUE PROCEDURE 84–58.—In the case of an amount held by the Secretary of the Treasury or his delegate on the date of the enactment of this Act as a deposit in the nature of a cash bond deposit pursuant to Revenue Procedure 84–58, the date that the taxpayer identifies such amount as a deposit made pursuant to section 6612 of the Internal Revenue Code (as added by this Act) shall be treated as the date such amount is deposited for purposes of such section 6612.

SEC. 106. EXPANSION OF INTEREST NETTING FOR INDIVIDUALS.

(a) IN GENERAL.—Subsection (d) of section 6621 (relating to elimination of interest on overlapping periods of tax overpayments and underpayments) is amended by adding at the end the following: ''Solely for purposes of the preceding sentence, section 6611(e) shall not apply in the case of an individual.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to interest accrued after December 31, 2002.

SEC. 107. WAIVER OF CERTAIN PENALTIES FOR FIRST-TIME UNINTENTIONAL MINOR ERRORS.

(a) IN GENERAL.—Section 6651 (relating to failure to file tax return or to pay tax) is amended by adding at the end the following new subsection:

''(i) TREATMENT OF FIRST-TIME UNINTENTIONAL MINOR ERROR.—In the case of a return of tax imposed by subtitle A filed by an individual, the Secretary may waive an addition to tax under subsection (a) if—

''(1) the individual has a history of compliance with the requirements of this title,

''(2) it is shown that the failure is due to an unintentional minor error,

''(3) the penalty would otherwise be disproportionate to the amount involved, and

''(4) waiving the penalty would promote compliance with the requirements of this title and effective tax administration.

The preceding sentence shall not apply if the Secretary has waived any addition to tax under this subsection with respect to any prior failure by such individual.''

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2003.

SEC. 108. FRIVOLOUS TAX SUBMISSIONS.

(a) CIVIL PENALTIES.—Section 6702 is amended to read as follows:

"SEC. 6702. FRIVOLOUS TAX SUBMISSIONS.

''(a) CIVIL PENALTY FOR FRIVOLOUS TAX RETURNS.—A person shall pay a penalty of $5,000 if—

''(1) such person files what purports to be a return of a tax imposed by this title but which—

''(A) does not contain information on which the substantial correctness of the self-assessment may be judged, or

''(B) contains information that on its face indicates that the self-assessment is substantially incorrect; and

''(2) the conduct referred to in paragraph (1)—

''(A) is based on a position which the Secretary has identified as frivolous under subsection (c), or

''(B) reflects a desire to delay or impede the administration of Federal tax laws.

''(b) CIVIL PENALTY FOR SPECIFIED FRIVOLOUS SUBMISSIONS.—

''(1) IMPOSITION OF PENALTY.—Except as provided in paragraph (3), any person who submits a specified frivolous submission shall pay a penalty of $5,000.

''(2) SPECIFIED FRIVOLOUS SUBMISSION.—For purposes of this section—

''(A) SPECIFIED FRIVOLOUS SUBMISSION.—The term 'specified frivolous submission' means a specified submission if any portion of such submission—

''(i) is based on a position which the Secretary has identified as frivolous under subsection (c), or

''(ii) reflects a desire to delay or impede the administration of Federal tax laws.

''(B) SPECIFIED FRIVOLOUS SUBMISSION.—The term 'specified submission' means—

''(i) a request for a hearing under—

''(I) section 6320 (relating to notice and opportunity for hearing upon filing of notice of lien), or

''(II) section 6330 (relating to notice and opportunity for hearing before levy), and

''(ii) an application under—

''(I) section 7811 (relating to taxpayer assistance orders),

''(II) section 6159 (relating to agreements for payment of tax liability in installments), or

''(III) section 7122 (relating to compromises).

''(3) OPPORTUNITY TO WITHDRAW SUBMISSION.—If the Secretary provides a person with notice that a submission is a specified

frivolous submission and such person withdraws such submission promptly after such notice, the penalty imposed under paragraph (1) shall not apply with respect to such submission.

''(c) LISTING OF FRIVOLOUS POSITIONS.—The Secretary shall prescribe (and periodically revise) a list of positions which the Secretary has identified as being frivolous for purposes of this subsection. The Secretary shall not include in such list any position that the Secretary determines meets the requirement of section 6662(d)(2)(B)(ii)(II).

''(d) REDUCTION OF PENALTY.—The Secretary may reduce the amount of any penalty imposed under this section if the Secretary determines that such reduction would promote compliance with and administration of the Federal tax laws.

''(e) PENALTIES IN ADDITION TO OTHER PENALTIES.—The penalties imposed by this section shall be in addition to any other penalty provided by law.''.

(b) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS BEFORE LEVY.—

(1) FRIVOLOUS REQUESTS DISREGARDED.—Section 6330 (relating to notice and opportunity for hearing before levy) is amended by adding at the end the following new subsection:

''(g) FRIVOLOUS REQUESTS FOR HEARING, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of a request for a hearing under this section or section 6320 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.''.

(2) PRECLUSION FROM RAISING FRIVOLOUS ISSUES AT HEARING.—Section 6330(c)(4) is amended—

(A) by striking ''(A)'' and inserting ''(A)(i)'';

(B) by striking ''(B)'' and inserting ''(ii)'';

(C) by striking the period at the end of the first sentence and inserting ''; or''; and

(D) by inserting after subparagraph (A)(ii) (as so redesignated) the following:

''(B) the issue meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A).''.

(3) STATEMENT OF GROUNDS.—Section 6330(b)(1) is amended by striking ''under subsection (a)(3)(B)'' and inserting ''in writing under subsection (a)(3)(B) and states the grounds for the requested appeal''.

(c) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS UPON FILING OF NOTICE OF LIEN.—Section 6320 is amended—

(1) in subsection (b)(1), by striking ''under subsection (a)(3)(B)'' and inserting ''in writing under subsection (a)(3)(B) and states the grounds for the requested appeal''.

(2) in subsection (c), by striking ''and (e)'' and inserting ''(e), and (g)''.

(d) TREATMENT OF FRIVOLOUS APPLICATIONS FOR OFFERS-IN-COMPROMISE AND INSTALLMENT AGREEMENTS.—Section 7122 is amended by adding at the end the following new subsection:

''(e) FRIVOLOUS SUBMISSIONS, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of an application for an offer-in-compromise or installment agreement submitted under this section or section 6159 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.''.

(e) CONFORMING AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by striking the item relating to section 6702 and inserting the following new item:

''Sec. 6702. Frivolous tax submissions.''

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to submissions made and issues raised after the date on which the Secretary first prescribes a list under section 6702(c) of the Internal Revenue Code of 1986, as amended by subsection (a).

TITLE II—FAIRNESS OF COLLECTION PROCEDURES

SEC. 201. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.

(a) IN GENERAL.—

(1) Section 6159(a) (relating to authorization of agreements) is amended—

(A) by striking ''satisfy liability for payment of'' and inserting ''make payment on'', and

(B) by inserting ''full or partial'' after ''facilitate''.

(2) Section 6159(c) (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting ''full'' before ''payment''.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

''(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

SEC. 202. ADDITIONAL CONSIDERATIONS TO BE TAKEN INTO ACCOUNT AS BASES FOR ACCEPTING OFFER-IN-COMPROMISE.

(a) IN GENERAL.—Paragraph (3) of section 7122(c) (relating to special rules relating to treatment of offers) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting a semicolon, and by adding at the end the following new subparagraphs:

''(C) in all cases, consideration shall be given to—

''(i) whether the taxpayer has a history of complying with the requirements of this title,

''(ii) whether there is evidence of an error by the Internal Revenue Service in determining or administering the tax which is the subject of the offer-in-compromise, and

''(iii) whether the taxpayer has made a good faith effort to resolve and pay the liability;

''(D) a reasonable annual allowance shall be made for voluntary payments for the support of any dependent (as defined in section 152) of the taxpayer;

''(E) a reasonable allowance shall be made for payments on unsecured debt of the taxpayer to the extent such debt is attributable to Federal, State, or local income taxes, medical care expenses, burial expenses, or other basic living expenses; and

''(F) consideration shall be given to the level of the taxpayer's education and financial and business experience relative the complexity of the transaction giving rise to the liability.''

(b) LIMITATIONS.—Subsection (c) of section 7122 is amended by adding at the end the following new paragraph:

''(4) LIMITATIONS ON CERTAIN FACTORS IN CONSIDERING OFFER-IN-COMPROMISE.—

''(A) PERIOD FOR CERTAIN CONSIDERATIONS.—Subparagraph (E) of paragraph (3) shall apply only during the 3-year period beginning on whichever of the following is the earliest:

''(i) The date of the receipt by the taxpayer of the notice of the decision of the Internal Revenue Service Office of Appeals.

''(ii) The date of the notice of deficiency.

''(iii) The date on which the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals is sent.

''(B) DOLLAR LIMITATIONS.—

''(i) ALLOWANCES.—The allowances under subparagraphs (D) and (E) shall not exceed the dollar amount in effect under section 2503(b).

''(ii) CONSIDERATION OF EDUCATION AND FINANCIAL SOPHISTICATION.—Subparagraph (F) of paragraph (3) shall apply only if the amount of the liability does not exceed the dollar amount in effect under section 2503(b).''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proposed offers-in-compromise submitted after the date of the enactment of this Act.

SEC. 203. EXTENSION OF TIME FOR RETURN OF PROPERTY.

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 (relating to return of property) is amended by striking ''9 months'' and inserting ''2 years''.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 (relating to suits by persons other than taxpayers) is amended—

(1) in paragraph (1) by striking ''9 months'' and inserting ''2 years'', and

(2) in paragraph (2) by striking ''9-month'' and inserting ''2-year''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

SEC. 204. SEVEN-DAY THRESHOLD ON TOLLING OF STATUTE OF LIMITATIONS DURING TAX REVIEW.

(a) IN GENERAL.—Section 7811(d)(1) (relating to suspension of running of period of limitation) is amended by inserting after ''application,'' the following: ''but only if the date of such decision is at least 7 days after the date of the taxpayer's application''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to applications filed after the date of the enactment of this Act.

SEC. 205. STUDY OF LIENS AND LEVIES.

The Secretary of the Treasury, or the Secretary's delegate, shall conduct a study of the practices of the Internal Revenue Service concerning liens and levies. The study shall examine—

(1) the declining use of liens and levies by the Internal Revenue Service, and

(2) the practicality of recording liens and levying against property in cases in which the cost of such actions exceeds the amount to be realized from such property.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit such study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

TITLE III—EFFICIENCY OF TAX ADMINISTRATION

SEC. 301. REVISIONS RELATING TO TERMINATION OF EMPLOYMENT OF INTERNAL REVENUE SERVICE EMPLOYEES FOR MISCONDUCT.

(a) IN GENERAL.—Subchapter A of chapter 80 (relating to application of internal revenue laws) is amended by inserting after section 7804 the following new section:

''SEC. 7804A. TERMINATION OF EMPLOYMENT FOR MISCONDUCT.

''(a) IN GENERAL.—Subject to subsection (c), the Commissioner of Internal Revenue shall terminate the employment of any employee of the Internal Revenue Service if there is a final administrative or judicial determination that such employee committed any act or omission described under subsection (b) in the performance of the employee's official duties or where a nexus to the employee's position exists.

''(b) ACTS OR OMISSIONS.—The acts or omissions referred to under subsection (a) are—

''(1) willful failure to obtain the required approval signatures on documents authorizing the seizure of a taxpayer's home, personal belongings, or business assets;

''(2) willfully providing a false statement under oath with respect to a material matter involving a taxpayer or taxpayer representative;

''(3) with respect to a taxpayer or taxpayer representative, the willful violation of—

''(A) any right under the Constitution of the United States;

''(B) any civil right established under—

''(i) title VI or VII of the Civil Rights Act of 1964;

''(ii) title IX of the Education Amendments of 1972;

''(iii) the Age Discrimination in Employment Act of 1967;

''(iv) the Age Discrimination Act of 1975;

''(v) section 501 or 504 of the Rehabilitation Act of 1973; or

''(vi) title I of the Americans with Disabilities Act of 1990; or

''(C) the Internal Revenue Service policy on unauthorized inspection of returns or return information;

''(4) willfully falsifying or destroying documents to conceal mistakes made by any employee with respect to a matter involving a taxpayer or taxpayer representative;

''(5) assault or battery on a taxpayer or taxpayer representative, but only if there is a criminal conviction, or a final adverse judgment by a court in a civil case, with respect to the assault or battery;

''(6) willful violations of this title, Department of the Treasury regulations, or policies of the Internal Revenue Service (including the Internal Revenue Manual) for the purpose of retaliating against, or harassing, a taxpayer or taxpayer representative;

''(7) willful misuse of the provisions of section 6103 for the purpose of concealing information from a congressional inquiry;

''(8) willful failure to file any return of tax required under this title on or before the date prescribed therefor (including any extensions) when a tax is due and owing, unless such failure is due to reasonable cause and not due to willful neglect;

''(9) willful understatement of Federal tax liability, unless such understatement is due to reasonable cause and not due to willful neglect; and

''(10) threatening to audit a taxpayer, or to take other action under this title, for the purpose of extracting personal gain or benefit.

''(c) DETERMINATIONS OF COMMISSIONER.—

''(1) IN GENERAL.—The Commissioner may take a personnel action other than termination for an act or omission under subsection (a).

''(2) DISCRETION.—The exercise of authority under paragraph (1) shall be at the sole discretion of the Commissioner and may not be delegated to any other officer. The Commissioner, in his sole discretion, may establish a procedure to determine if an individual should be referred to the Commissioner for a determination by the Commissioner under paragraph (1).

''(3) NO APPEAL.—Notwithstanding any other provision of law, any determination of the Commissioner under this subsection may not be reviewed in any administrative or judicial proceeding. A finding that an act or omission described in subsection (b) occurred may be reviewed.

''(d) DEFINITION.—For the purposes of the provisions described in clauses (i), (ii), and (iv) of subsection (b)(3)(B), references to a program or activity regarding Federal financial assistance or an education program or activity receiving Federal financial assistance shall include any program or activity conducted by the Internal Revenue Service for a taxpayer.

''(e) ANNUAL REPORT.—The Commissioner shall submit to Congress annually a report on terminations of employment under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 80 is amended by inserting after the item relating to section 7804 the following new item:

''Sec. 7804A. Termination of employment for misconduct.''

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 302. CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOUPMENT.

(a) CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOUPMENT.—Subsection (b) of section 6214 (relating to jurisdiction over other years and quarters) is amended by adding at the end the following new sentence: ''Notwithstanding the preceding sentence, the Tax Court may apply the doctrine of equitable recoupment to the same extent that it is available in civil tax cases before the district courts of the United States and the United States Court of Federal Claims.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any action or proceeding in the Tax Court with respect to which a decision has not become final (as determined under section 7481 of the Internal Revenue Code of 1986) as of the date of the enactment of this Act.

SEC. 303. JURISDICTION OF TAX COURT OVER COLLECTION DUE PROCESS CASES.

(a) IN GENERAL.—Section 6330(d)(1) (relating to judicial review of determination) is amended to read as follows:

''(1) JUDICIAL REVIEW OF DETERMINATION.—The person may, within 30 days of a determination under this section, appeal such determination to the Tax Court (and the Tax Court shall have jurisdiction with respect to such matter).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to appeals filed after the date of the enactment of this Act.

SEC. 304. OFFICE OF CHIEF COUNSEL REVIEW OF OFFERS IN COMPROMISE.

(a) IN GENERAL.—Section 7122(b) (relating to record) is amended by striking ''Whenever a compromise'' and all that follows through ''his delegate'' and inserting ''If the Secretary determines that an opinion of the General Counsel for the Department of the Treasury, or the Counsel's delegate, is required with respect to a compromise, there shall be placed on file in the office of the Secretary such opinion''.

(b) CONFORMING AMENDMENTS.—Section 7122(b) is amended by striking the second and third sentences.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to offers-in-compromise submitted or pending on or after the date of the enactment of this Act.

SEC. 305. STUDY OF TAXPAYER NOTIFICATION ALTERNATIVES.

The Secretary of the Treasury, or the Secretary's delegate, shall conduct a study of alternative methods of notifying taxpayers of determinations and other actions of the Secretary. The study shall examine the advantages and disadvantages of—

(1) the use of certificates of mailing,

(2) modifications to certified or registered mail requirements which eliminate return receipt requested, and

(3) modifications with respect to dual notices to taxpayers filing a joint return and residing at the same address.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit such study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

TITLE IV—CONFIDENTIALITY AND DISCLOSURE

SEC. 401. COLLECTION ACTIVITIES WITH RESPECT TO JOINT RETURN DISCLOSABLE TO EITHER SPOUSE BASED ON ORAL REQUEST.

(a) IN GENERAL.—Paragraph (8) of section 6103(e) (relating to disclosure of collection activities with respect to joint return) is amended by striking ''in writing'' the first place it appears.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to requests made after the date of the enactment of this Act.

SEC. 402. TAXPAYER REPRESENTATIVES NOT SUBJECT TO EXAMINATION ON SOLE BASIS OF REPRESENTATION OF TAXPAYERS.

(a) IN GENERAL.—Subsection (h) of section 6103 (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new paragraph:

''(7) TAXPAYER REPRESENTATIVES.—Notwithstanding paragraph (1), the return of the representative of a taxpayer whose return is being examined by an officer or employee of the Department of the Treasury shall not be open to inspection by such officer or employee on the sole basis of the representative's relationship to the taxpayer unless a supervisor of such officer or employee has approved the inspection of the return of such representative on a basis other than by reason of such relationship.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 403. DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS WHO ARE NOT PARTY TO SUCH PROCEEDINGS.

(a) IN GENERAL.—Paragraph (4) of section 6103(h) (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new subparagraph:

''(B) DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS NOT PARTY TO SUCH PROCEEDINGS.—

''(i) NOTICE.—Return or return information of any person who is not a party to a judicial or administrative proceeding described in paragraph (4) shall not be disclosed under clause (ii) or (iii) of subparagraph (A) until after the Secretary makes a section shall

take effect on the date of the enactment of this Act.

SEC. 403. DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS WHO ARE NOT PARTY TO SUCH PROCEEDINGS.

(a) IN GENERAL.—Paragraph (4) of section 6103(h) (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new subparagraph:

''(B) DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS NOT PARTY TO SUCH PROCEEDINGS.—

''(i) NOTICE.—Return or return information of any person who is not a party to a judicial or administrative proceeding described in paragraph (4) shall not be disclosed under clause (ii) or (iii) of subparagraph (A) until after the Secretary makes a easonable effort to give notice to such person and an opportunity for such person to request the deletion of matter from such return or return information, including any of the items referred to in paragraphs (1) through (7) of section 6110(c). Such notice shall include a statement of the issue or issues the resolution of which is the reason such return or return information is sought. In the case of S corporations, partnerships, estates, and trusts, such notice shall be made at the entity level.

''(ii) DISCLOSURE LIMITED TO PERTINENT PORTION.—The only portion of a return or return information described in clause (i) which may be disclosed under subparagraph (A) is that portion of such return or return information that directly relates to the resolution of an issue in such proceeding.

''(iii) EXCEPTIONS.—Clause (i) shall not apply to—

''(I) any ex parte proceeding for obtaining a search warrant, order for entry on premises or safe deposit boxes, or similar ex parte proceeding,

''(II) disclosure of third party return information by indictment or criminal information, or

''(III) if the Secretary determines that the application of such clause would seriously impair a criminal tax investigation.''.

(b) CONFORMING AMENDMENTS.—Paragraph (4) of section 6103(h) is amended by—

(1) by striking ''PROCEEDINGS.—A return'' and inserting ''PROCEEDINGS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a return'';

(2) by redesignating subparagraphs (A), (B), (C), and (D) clauses (i), (ii), (iii), and (iv), respectively; and

(3) in the matter following clause (iv) (as so redesignated), by striking ''subparagraph (A), (B), or (C)'' and inserting ''clause (i), (ii), or (iii)'' and by moving such matter 2 ems to the right.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proceedings commenced after the date of the enactment of this Act.

SEC. 404. PROHIBITION OF DISCLOSURE OF TAXPAYER IDENTIFICATION INFORMATION WITH RESPECT TO DISCLOSURE OF ACCEPTED OFFERS-IN-COMPROMISE.

(a) IN GENERAL.—Paragraph (1) of section 6103(k) (relating to disclosure of certain returns and return information for tax administrative purposes) is amended by inserting ''(other than the tax payer's address and TIN)'' after ''Return information''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disclosures made after the date of the enactment of this Act.

SEC. 405. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) (relating to State law requirements) is amended by adding at the end the following new paragraph:

''(9) DISCLOSURE TO CONTRACTORS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed by any officer or employee of any Federal agency or State to any contractor of such agency or State unless such agency or State—

''(A) has requirements in effect which require each contractor of such agency or State which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

''(B) agrees to conduct an annual, on-site review (mid-point review in the case of contracts of less than 1 year in duration) of each contractor to determine compliance with such requirements,

''(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

''(D) certifies to the Secretary for the most recent annual period that all contractors are in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor, a description of the contract of the contractor with the Federal agency or State, and the duration of such contract.''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 6103(p)(8) is amended by inserting ''or paragraph (9)'' after ''subparagraph (A)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to disclosures made after December 31, 2002.

(2) CERTIFICATIONS.—The first certification under section 6103(p)(9)(D) of the Internal Revenue Code of 1986, as added by subsection (a), shall be made with respect to calendar year 2003.

SEC. 406. HIGHER STANDARDS FOR REQUESTS FOR AND CONSENTS TO DISCLOSURE.

(a) IN GENERAL.—Subsection (c) of section 6103 (relating to disclosure of returns and return information to designee of taxpayer) is amended by adding at the end the following new paragraphs:

''(2) REQUIREMENTS FOR VALID REQUESTS AND CONSENTS.—A request for or consent to disclosure under paragraph (1) shall only be valid for purposes of this section or sections 7213, 7213A, or 7431 if—

''(A) at the time of execution, such request or coe of Service To Act on Determinations Treated as Exhaustion of Remedies.—The second sentence of paragraph (2) of section 7428(b) (relating to exhaustion of administrative remedies) is amended to read as follows: ''An organization which requests the determination of an issue referred to in subsection (a)(1) and which has taken, in a timely manner, all reasonable steps to secure such determination, shall be deemed to have exhausted its administrative remedies with respect to—

''(A) a failure by the Secretary to make a determination with respect to such issue, at the expiration of 270 days after the date on which the request for such determination was made, and

''(B) a failure by any office of the Internal Revenue Service (other than the office which is responsible for initial determinations with respect to such issue) to make a determination with respect to such issue, at the expiration of 450 days after the date on which such request was made.''.

(d) EFFECTIVE DATES.—

(1) DECLARATORY JUDGMENT.—The amendments made by subsections (a) and (b) shall apply to pleadings filed with respect to determinations (or requests for determinations) made after the date of the enactment of this Act.

(2) FAILURE OF SERVICE TO ACT.—The amendments made by subsection (c) shall apply to applications received in the national office of the Internal Revenue Service after the date of the enactment of this Act.

SEC. 503. EMPLOYEE MISCONDUCT REPORT TO INCLUDE SUMMARY OF COMPLAINTS BY CATEGORY.

(a) IN GENERAL.—Clause (ii) of section 7803(d)(2)(A) is amended by inserting before the semicolon at the end the following: '', including a summary (by category) of the 10 most common complaints made and the number of such common complaints''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reporting periods ending after the date of the enactment of this Act.

SEC. 504. ANNUAL REPORT ON AWARDS OF COSTS AND CERTAIN FEES IN ADMINISTRATIVE AND COURT PROCEEDINGS.

Not later than 3 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress which specifies for such year—

(1) the number of payments made by the United States pursuant to section 7430 of the Internal Revenue Code of 1986 (relating to awarding of costs and certain fees);

(2) the amount of each such payment;

(3) an analysis of any administrative issue giving rise to such payments; and

(4) changes (if any) which will be implemented as a result of such analysis and other changes (if any) recommended by the Treasury Inspector General for Tax Administration as a result of such analysis.

SEC. 505. ANNUAL REPORT ON ABATEMENT OF PENALTIES.

Not later than 6 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress on abatements of penalties under the Internal Revenue Code of 1986 during such year, including information on the reasons and criteria for such abatements.

SEC. 506. BETTER MEANS OF COMMUNICATING WITH TAXPAYERS.

Not later than 18 months after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to Congress evaluating whether technological advances, such as e-mail and facsimile transmission, permit the use of alternative means for the Internal Revenue Service to communicate with taxpayers.

SEC. 507. EXPLANATION OF STATUTE OF LIMITATIONS AND CONSEQUENCES OF FAILURE TO FILE.

The Secretary of the Treasury or the Secretary's delegate shall, as soon as practicable but not later than 180 days after the date of the enactment of this Act, revise the statement required by section 6227 of the Omnibus Taxpayer Bill of Rights (Internal Revenue Service Publication No. 1), and any instructions booklet accompanying a general income tax return form for taxable years beginning in 2000 and later (including forms 1040, 1040A, 1040EZ, and any similar or successor forms relating thereto), to provide for an explanation of—

(1) the limitations imposed by section 6511 of the Internal Revenue Code of 1986 on credits and refunds; and

(2) the consequences under such section 6511 of the failure to file a return of tax.

SEC. 508. AMENDMENT TO TREASURY AUCTION REFORMS.

(a) IN GENERAL.—Clause (i) of section 202(c)(4)(B) of the Government Securities Act Amendments of 1993 (31 U.S.C. 3121 note) is amended by inserting before the semicolon ''(or, if earlier, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2))''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to meetings held after the date of the enactment of this Act.

SEC. 509. ENROLLED AGENTS.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

''SEC. 7527. ENROLLED AGENTS.

''(a) IN GENERAL.—The Secretary may prescribe such regulations as may be necessary to regulate the conduct of enrolled agents in regards to their practice before the Internal Revenue Service.

''(b) USE OF CREDENTIALS.—Any enrolled agents properly licensed to practice as required under rules promulgated under section (a) herein shall be allowed to use the credentials or designation as 'enrolled agent', 'EA', or 'E.A.'.''

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7525. Enrolled agents.''

(c) PRIOR REGULATIONS.—Nothing in the amendments made by this section shall be construed to have any effect on part 10 of title 31, Code of Federal Regulations, or any other Federal rule or regulation issued before the date of the enactment of this Act.

TITLE VI—AUTHORIZATION OF APPROPRIATION

SEC. 601. LOW-INCOME TAXPAYER CLINICS.

(a) LIMITATION ON AMOUNT OF GRANTS.—Paragraph (1) of section 7526(c) (relating to special rules and limitations) is amended by striking ''$6,000,000 per year'' and inserting ''$9,000,000 for 2002, $12,000,000 for 2003, and $15,000,000 for each year thereafter''.

(b) LIMITATION ON USE OF CLINICS FOR TAX RETURN PREPARATION.—Section 7526(b)(1) is amended by adding at the end the following new subparagraph:

''(C) LIMITATION REGARDING TAX RETURN PREPARATION.—A clinic meets the requirements of subparagraph (A)(ii)(II) if the programs operated by the clinic do not include routine tax return preparation.''.

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Taxpayer Protection and IRS Accountability Act of 2002''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

TITLE I—PENALTIES AND INTEREST

SEC. 101. FAILURE TO PAY ESTIMATED TAX PENALTY CONVERTED TO INTEREST CHARGE ON ACCUMULATED UNPAID BALANCE.

(a) PENALTY MOVED TO INTEREST CHAPTER OF CODE.—The Internal Revenue Code of 1986 is amended by redesignating section 6654 as section 6641 and by moving section 6641 (as so redesignated) from part I of subchapter A of chapter 68 to the end of subchapter E of chapter 67 (as added by subsection (e)(1) of this section).

(b) PENALTY CONVERTED TO INTEREST CHARGE.—The heading and subsections (a) and (b) of section 6641 (as so redesignated) are amended to read as follows:

''SEC. 6641. INTEREST ON FAILURE BY INDIVIDUAL TO PAY ESTIMATED INCOME TAX.

''(a) IN GENERAL.—Interest shall be paid on any underpayment of estimated tax by an individual for a taxable year for each day of such underpayment. The amount of such interest for any day shall be the product of the underpayment rate established under subsection (b)(2) multiplied by the amount of the underpayment.

''(b) AMOUNT OF UNDERPAYMENT; INTEREST RATE.—For purposes of subsection (a)—

''(1) AMOUNT.—The amount of the underpayment on any day shall be the excess of—

''(A) the sum of the required installments for the taxable year the due dates for which are on or before such day, over

''(B) the sum of the amounts (if any) of estimated tax payments made on or before such day on such required installments.

''(2) DETERMINATION OF INTEREST RATE.—

''(A) IN GENERAL.—The underpayment rate with respect to any day in an installment underpayment period shall be the underpayment rate established under section 6621 for the first day of the calendar quarter in which such installment underpayment period begins.

''(B) INSTALLMENT UNDERPAYMENT PERIOD.—For purposes of subparagraph (A), the term 'installment underpayment period' means the period beginning on the day after the due date for a required installment and ending on the due date for the subsequent required installment (or in the case of the 4th required installment, the 15th day of the 4th month following the close of a taxable year).

''(C) DAILY RATE.—The rate determined under subparagraph (A) shall be applied on a daily basis and shall be based on the assumption of 365 days in a calendar year.

''(3) TERMINATION OF ESTIMATED TAX INTEREST.—No day after the end of the installment

underpayment period for the 4th required installment specified in paragraph (2)(B) for a taxable year shall be treated as a day of underpayment with respect to such taxable year.''.

(c) INCREASE IN SAFE HARBOR WHERE TAX IS SMALL.—

(1) IN GENERAL.—Clause (i) of section 6641(d)(1)(B) (as so redesignated) is amended to read as follows:

''(i) the lesser of—

''(I) 90 percent of the tax shown on the return for the taxable year (or, if no return is filed, 90 percent of the tax for such year), or

''(II) the tax shown on the return for the taxable year (or, if no return is filed, the tax for such year) reduced (but not below zero) by $2,000, or''.

(2) CONFORMING AMENDMENT.—Subsection (e) of section 6641 (as so redesignated) is amended by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(d) CONFORMING AMENDMENTS.—

(1) Paragraphs (1) and (2) of subsection (e) (as redesignated by subsection (c)(2)) and subsection (h) of section 6641 (as so designated) are each amended by striking ''addition to tax'' each place it occurs and inserting ''interest''.

(2) Section 167(g)(5)(D) is amended by striking ''6654'' and inserting ''6641''.

(3) Section 460(b)(1) is amended by striking ''6654'' and inserting ''6641''.

(4) Section 3510(b) is amended—

(A) by striking ''section 6654'' in paragraph (1) and inserting ''section 6641'';

(B) by amending paragraph (2)(B) to read as follows:

''(B) no interest would be required to be paid (but for this section) under 6641 for such taxable year by reason of the $2,000 amount specified in section 6641(d)(1)(B)(i)(II).'';

(C) by striking ''section 6654(d)(2)'' in paragraph (3) and inserting ''section 6641(d)(2)''; and

(D) by striking paragraph (4).

(5) Section 6201(b)(1) is amended by striking ''6654'' and inserting ''6641''.

(6) Section 6601(h) is amended by striking ''6654'' and inserting ''6641''.

(7) Section 6621(b)(2)(B) is amended by striking ''addition to tax under section 6654'' and inserting ''interest required to be paid under section 6641''.

(8) Section 6622(b) is amended—

(A) by striking ''PENALTY FOR'' in the heading; and

(B) by striking ''addition to tax under section 6654 or 6655'' and inserting ''interest required to be paid under section 6641 or addition to tax under section 6655''.

(9) Section 6658(a) is amended—

(A) by striking ''6654, or 6655'' and inserting ''or 6655, and no interest shall be required to be paid under section 6641,''; and

(B) by inserting ''or paying interest'' after ''the tax'' in paragraph (2)(B)(ii).

(10) Section 6665(b) is amended—

(A) in the matter preceding paragraph (1) by striking '', 6654,''; and

(B) in paragraph (2) by striking ''6654 or''.

(11) Section 7203 is amended by striking ''section 6654 or 6655'' and inserting ''section 6655 or interest required to be paid under section 6641''.

(e) CLERICAL AMENDMENTS.—

(1) Chapter 67 is amended by inserting after subchapter D the following:

''Subchapter E—Interest on Failure by Individual to Pay Estimated Income Tax

''Sec. 6641. Interest on failure by individual to pay estimated income tax.''.

(2) The table of subchapters for chapter 67 is amended by adding at the end the following new items:

''Subchapter D. Notice requirements.

''Subchapter E. Interest on failure by individual to pay estimated income tax.''.

(3) The table of sections for part I of subchapter A of chapter 68 is amended by striking the item relating to section 6654.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to installment payments for taxable years beginning after December 31, 2002.

SEC. 102. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting after section 139 the following new section:

''SEC. 139A. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

''(a) IN GENERAL.—In the case of an individual, gross income shall not include interest paid under section 6611 on any overpayment of tax imposed by this subtitle.

''(b) EXCEPTION.—Subsection (a) shall not apply in the case of a failure to claim items resulting in the overpayment on the original return if the Secretary determines that the principal purpose of such failure is to take advantage of subsection (a).

''(c) SPECIAL RULE FOR DETERMINING MODIFIED ADJUSTED GROSS INCOME.—For purposes of this title, interest not included in gross income under subsection (a) shall not be treated as interest which is exempt from tax for purposes of sections 32(i)(2)(B) and 6012(d) or any computation in which interest exempt from tax under this title is added to adjusted gross income.''.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting after the item relating to section 139 the following new item:

''Sec. 139A. Exclusion from gross income for interest on overpayments of income tax by individuals.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received in calendar years beginning after the date of the enactment of this Act.

SEC. 103. ABATEMENT OF INTEREST.

(a) ABATEMENT OF INTEREST WITH RESPECT TO ERRONEOUS REFUND CHECK WITHOUT REGARD TO SIZE OF REFUND.—Paragraph (2) of section 6404(e) is amended by striking ''unless—'' and all that follows and inserting ''unless the taxpayer (or a related party) has in any way caused such erroneous refund.''.

(b) ABATEMENT OF INTEREST TO EXTENT INTEREST IS ATTRIBUTABLE TO TAXPAYER RELIANCE ON WRITTEN STATEMENTS OF THE IRS.—Subsection (f) of section 6404 is amended—

(1) in the subsection heading, by striking ''PENALTY OR ADDITION'' and inserting ''INTEREST, PENALTY, OR ADDITION''; and

(2) in paragraph (1) and in subparagraph (B) of paragraph (2), by striking ''penalty or addition'' and inserting ''interest, penalty, or addition''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to interest accruing on or after the date of the enactment of this Act.

SEC. 104. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS.

(a) IN GENERAL.—Subchapter A of chapter 67 (relating to interest on underpayments) is amended by adding at the end the following new section:

''SEC. 6603. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS, ETC.

''(a) AUTHORITY TO MAKE DEPOSITS OTHER THAN AS PAYMENT OF TAX.—A taxpayer may make a cash deposit with the Secretary which may be used by the Secretary to pay any tax imposed under subtitle A or B or chapter 41, 42, 43, or 44 which has not been assessed at the time of the deposit. Such a deposit shall be made in such manner as the Secretary shall prescribe.

''(b) NO INTEREST IMPOSED.—To the extent that such deposit is used by the Secretary to pay tax, for purposes of section 6601 (relating to interest on underpayments), the tax shall be treated as paid when the deposit is made.

''(c) RETURN OF DEPOSIT.—Except in a case where the Secretary determines that collection of tax is in jeopardy, the Secretary shall return to the taxpayer any amount of the deposit (to the extent not used for a payment of tax) which the taxpayer requests in writing.

''(d) PAYMENT OF INTEREST.—

''(1) IN GENERAL.—For purposes of section 6611 (relating to interest on overpayments), a deposit which is returned to a taxpayer shall be treated as a payment of tax for any period to the extent (and only to the extent) attributable to a disputable tax for such period. Under regulations prescribed by the Secretary, rules similar to the rules of section 6611(b)(2) shall apply.

''(2) DISPUTABLE TAX.—

''(A) IN GENERAL.—For purposes of this section, the term 'disputable tax' means the amount of tax specified at the time of the deposit as the taxpayer's reasonable estimate of the maximum amount of any tax attributable to disputable items.

''(B) SAFE HARBOR BASED ON 30-DAY LETTER.—In the case of a taxpayer who has been issued a 30-day letter, the maximum amount of tax under subparagraph (A) shall not be less than the amount of the proposed deficiency specified in such letter.

''(3) OTHER DEFINITIONS.—For purposes of paragraph (2)—

''(A) DISPUTABLE ITEM.—The term 'disputable item' means any item of income, gain, loss, deduction, or credit if the taxpayer—

''(i) has a reasonable basis for its treatment of such item, and

''(ii) reasonably believes that the Secretary also has a reasonable basis for disallowing the taxpayer's treatment of such item.

''(B) 30-DAY LETTER.—The term '30-day letter' means the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals.

''(4) RATE OF INTEREST.—The rate of interest allowable under this subsection shall be the Federal short-term rate determined under section 6621(b), compounded daily.

''(e) USE OF DEPOSITS.—

''(1) PAYMENT OF TAX.—Except as otherwise provided by the taxpayer, deposits shall be treated as used for the payment of tax in the order deposited.

''(B) RETURNS OF DEPOSITS.—Deposits shall be treated as returned to the taxpayer on a last-in, first-out basis.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 67 is amended by adding at the end the following new item:

''Sec. 6603. Deposits made to suspend running of interest on potential underpayments, etc.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to deposits made after the date of the enactment of this Act.

(2) COORDINATION WITH DEPOSITS MADE UNDER REVENUE PROCEDURE 84–58.—In the case of an amount held by the Secretary of the Treasury or his delegate on the date of the

enactment of this Act as a deposit in the nature of a cash bond deposit pursuant to Revenue Procedure 84–58, the date that the taxpayer identifies such amount as a deposit made pursuant to section 6603 of the Internal Revenue Code (as added by this Act) shall be treated as the date such amount is deposited for purposes of such section 6603.

SEC. 105. EXPANSION OF INTEREST NETTING FOR INDIVIDUALS.

(a) IN GENERAL.—Subsection (d) of section 6621 (relating to elimination of interest on overlapping periods of tax overpayments and underpayments) is amended by adding at the end the following: ''Solely for purposes of the preceding sentence, section 6611(e) shall not apply in the case of an individual.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to interest accrued after December 31, 2002.

SEC. 106. WAIVER OF CERTAIN PENALTIES FOR FIRST-TIME UNINTENTIONAL MINOR ERRORS.

(a) IN GENERAL.—Section 6651 (relating to failure to file tax return or to pay tax) is amended by adding at the end the following new subsection:

''(i) TREATMENT OF FIRST-TIME UNINTENTIONAL MINOR ERRORS.—

''(1) IN GENERAL.—In the case of a return of tax imposed by subtitle A filed by an individual, the Secretary may waive an addition to tax under subsection (a) if—

''(A) the individual has a history of compliance with the requirements of this title,

''(B) it is shown that the failure is due to an unintentional minor error,

''(C) the penalty would be grossly disproportionate to the action or expense that would have been needed to avoid the error, and imposing the penalty would be against equity and good conscience,

''(D) waiving the penalty would promote compliance with the requirements of this title and effective tax administration, and

''(E) the taxpayer took all reasonable steps to remedy the error promptly after discovering it.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply if—

''(A) the Secretary has waived any addition to tax under this subsection with respect to any prior failure by such individual,

''(B) the failure is a mathematical or clerical error (as defined in section 6213(g)(2)), or

''(C) the failure is the lack of a required signature.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2003.

SEC. 107. FRIVOLOUS TAX SUBMISSIONS.

(a) CIVIL PENALTIES.—Section 6702 is amended to read as follows:

''SEC. 6702. FRIVOLOUS TAX SUBMISSIONS.

''(a) CIVIL PENALTY FOR FRIVOLOUS TAX RETURNS.—A person shall pay a penalty of $5,000 if—

''(1) such person files what purports to be a return of a tax imposed by this title but which—

''(A) does not contain information on which the substantial correctness of the self-assessment may be judged, or

''(B) contains information that on its face indicates that the self-assessment is substantially incorrect; and

''(2) the conduct referred to in paragraph (1)—

''(A) is based on a position which the Secretary has identified as frivolous under subsection (c), or

''(B) reflects a desire to delay or impede the administration of Federal tax laws.

''(b) CIVIL PENALTY FOR SPECIFIED FRIVOLOUS SUBMISSIONS.—

''(1) IMPOSITION OF PENALTY.—Except as provided in paragraph (3), any person who submits a specified frivolous submission shall pay a penalty of $5,000.

''(2) SPECIFIED FRIVOLOUS SUBMISSION.—For purposes of this section—

''(A) SPECIFIED FRIVOLOUS SUBMISSION.—The term 'specified frivolous submission' means a specified submission if any portion of such submission—

''(i) is based on a position which the Secretary has identified as frivolous under subsection (c), or

''(ii) reflects a desire to delay or impede the administration of Federal tax laws.

''(B) SPECIFIED SUBMISSION.—The term 'specified submission' means—

''(i) a request for a hearing under—

''(I) section 6320 (relating to notice and opportunity for hearing upon filing of notice of lien), or

''(II) section 6330 (relating to notice and opportunity for hearing before levy), and

''(ii) an application under—

''(I) section 7811 (relating to taxpayer assistance orders),

''(II) section 6159 (relating to agreements for payment of tax liability in installments), or

''(III) section 7122 (relating to compromises).

''(3) OPPORTUNITY TO WITHDRAW SUBMISSION.—If the Secretary provides a person with notice that a submission is a specified frivolous submission and such person withdraws such submission promptly after such notice, the penalty imposed under paragraph (1) shall not apply with respect to such submission.

''(c) LISTING OF FRIVOLOUS POSITIONS.—The Secretary shall prescribe (and periodically revise) a list of positions which the Secretary has identified as being frivolous for purposes of this subsection. The Secretary shall not include in such list any position that the Secretary determines meets the requirement of section 6662(d)(2)(B)(ii)(II).

''(d) REDUCTION OF PENALTY.—The Secretary may reduce the amount of any penalty imposed under this section if the Secretary determines that such reduction would promote compliance with and administration of the Federal tax laws.

''(e) PENALTIES IN ADDITION TO OTHER PENALTIES.—The penalties imposed by this section shall be in addition to any other penalty provided by law.''.

(b) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS BEFORE LEVY.—

(1) FRIVOLOUS REQUESTS DISREGARDED.—Section 6330 (relating to notice and opportunity for hearing before levy) is amended by adding at the end the following new subsection:

''(g) FRIVOLOUS REQUESTS FOR HEARING, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of a request for a hearing under this section or section 6320 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.''.

(2) PRECLUSION FROM RAISING FRIVOLOUS ISSUES AT HEARING.—Section 6330(c)(4) is amended—

(A) by striking ''(A)'' and inserting ''(A)(i)'';

(B) by striking ''(B)'' and inserting ''(ii)'';

(C) by striking the period at the end of the first sentence and inserting ''; or''; and

(D) by inserting after subparagraph (A)(ii) (as so redesignated) the following:

''(B) the issue meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A).''.

(3) STATEMENT OF GROUNDS.—Section 6330(b)(1) is amended by striking ''under subsection (a)(3)(B)'' and inserting ''in writing under subsection (a)(3)(B) and states the grounds for the requested hearing''.

(c) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS UPON FILING OF NOTICE OF LIEN.—Section 6320 is amended—

(1) in subsection (b)(1), by striking ''under subsection (a)(3)(B)'' and inserting ''in writing under subsection (a)(3)(B) and states the grounds for the requested hearing'', and

(2) in subsection (c), by striking ''and (e)'' and inserting ''(e), and (g)''.

(d) TREATMENT OF FRIVOLOUS APPLICATIONS FOR OFFERS-IN-COMPROMISE AND INSTALLMENT AGREEMENTS.—Section 7122 is amended by adding at the end the following new subsection:

''(e) FRIVOLOUS SUBMISSIONS, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of an application for an offer-in-compromise or installment agreement submitted under this section or section 6159 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.''.

(e) CLERICAL AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by striking the item relating to section 6702 and inserting the following new item:

''Sec. 6702. Frivolous tax submissions.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to submissions made and issues raised after the date on which the Secretary first prescribes a list under section 6702(c) of the Internal Revenue Code of 1986, as amended by subsection (a).

SEC. 108. CLARIFICATION OF APPLICATION OF FEDERAL TAX DEPOSIT PENALTY.

Nothing in section 6656 of the Internal Revenue Code of 1986 shall be construed to permit the percentage specified in subsection (b)(1)(A)(iii) thereof to apply other than in a case where the failure is for more than 15 days.

TITLE II—FAIRNESS OF COLLECTION PROCEDURES

SEC. 201. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.

(a) IN GENERAL.—

(1) Section 6159(a) (relating to authorization of agreements) is amended—

(A) by striking ''satisfy liability for payment of'' and inserting ''make payment on'', and

(B) by inserting ''full or partial'' after ''facilitate''.

(2) Section 6159(c) (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting ''full'' before ''payment''.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

''(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

SEC. 202. EXTENSION OF TIME FOR RETURN OF PROPERTY.

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 (relating to return of property) is amended by striking ''9 months'' and inserting ''2 years''.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 (relating to suits by persons other than taxpayers) is amended—

(1) in paragraph (1) by striking ''9 months'' and inserting ''2 years'', and

(2) in paragraph (2) by striking ''9-month'' and inserting ''2-year''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

SEC. 203. INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON INDIVIDUAL RETIREMENT PLAN.

(a) IN GENERAL.—Section 6343 (relating to authority to release levy and return property) is amended by adding at the end the following new subsection:

''(f) INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON INDIVIDUAL RETIREMENT PLAN.—

''(1) IN GENERAL.—If the Secretary determines that an individual retirement plan has been levied upon in a case to which subsection (b) or (d)(2)(A) applies, an amount equal to the sum of—

''(A) the amount of money returned by the Secretary on account of such levy, and

''(B) interest paid under subsection (c) on such amount of money,

may be deposited into an individual retirement plan (other than an endowment contract) to which a rollover from the plan levied upon is permitted.

''(2) TREATMENT AS ROLLOVER.—The distribution on account of the levy and any deposit under paragraph (1) with respect to such distribution shall be treated for purposes of this title as if such distribution and deposit were part of a rollover described in section 408(d)(3)(A)(i); except that—

''(A) interest paid under subsection (c) shall be treated as part of such distribution and as not includible in gross income,

''(B) the 60-day requirement in such section shall be treated as met if the deposit is made not later than the 60th day after the day on which the individual receives an amount under paragraph (1) from the Secretary, and

''(C) such deposit shall not be taken into account under section 408(d)(3)(B).

''(3) REFUND, ETC., OF INCOME TAX ON LEVY.—If any amount is includible in gross income for a taxable year by reason of a levy referred to in paragraph (1) and any portion of such amount is treated as a rollover under paragraph (2), any tax imposed by chapter 1 on such portion shall not be assessed, and if assessed shall be abated, and if collected shall be credited or refunded as an overpayment made on the due date for filing the return of tax for such taxable year.

''(4) INTEREST.—Notwithstanding subsection (d), interest shall be allowed under subsection (c) in a case in which the Secretary makes a determination described in subsection (d)(2)(A) with respect to a levy upon an individual retirement plan.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid under subsections (b), (c), and (d)(2)(A) of section 6343 of the Internal Revenue Code of 1986 after December 31, 2002.

SEC. 204. SEVEN-DAY THRESHOLD ON TOLLING OF STATUTE OF LIMITATIONS DURING TAX REVIEW.

(a) IN GENERAL.—Section 7811(d)(1) (relating to suspension of running of period of limitation) is amended by inserting after ''application,'' the following: ''but only if the date of such decision is at least 7 days after the date of the taxpayer's application''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to applications filed after the date of the enactment of this Act.

SEC. 205. STUDY OF LIENS AND LEVIES.

The Secretary of the Treasury, or the Secretary's delegate, shall conduct a study of the practices of the Internal Revenue Service concerning liens and levies. The study shall examine—

(1) the declining use of liens and levies by the Internal Revenue Service, and

(2) the practicality of recording liens and levying against property in cases in which the cost of such actions exceeds the amount to be realized from such property.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit such study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

TITLE III—EFFICIENCY OF TAX ADMINISTRATION

SEC. 301. REVISIONS RELATING TO TERMINATION OF EMPLOYMENT OF INTERNAL REVENUE SERVICE EMPLOYEES FOR MISCONDUCT.

(a) IN GENERAL.—Subchapter A of chapter 80 (relating to application of internal revenue laws) is amended by inserting after section 7804 the following new section:

''SEC. 7804A. DISCIPLINARY ACTIONS FOR MISCONDUCT.

''(a) DISCIPLINARY ACTIONS.—

''(1) IN GENERAL.—Subject to subsection (c), the Commissioner shall take an action in accordance with the guidelines established under paragraph (2) against any employee of the Internal Revenue Service if there is a final administrative or judicial determination that such employee committed any act or omission described under subsection (b) in the performance of the employee's official duties or where a nexus to the employee's position exists.

''(2) GUIDELINES.—The Commissioner shall issue guidelines for determining the appropriate level of discipline, up to and including termination of employment, for committing any act or omission described under subsection (b).

''(b) ACTS OR OMISSIONS.—The acts or omissions described under this subsection are—

''(1) willful failure to obtain the required approval signatures on documents authorizing the seizure of a taxpayer's home, personal belongings, or business assets;

''(2) willfully providing a false statement under oath with respect to a material matter involving a taxpayer or taxpayer representative;

''(3) with respect to a taxpayer or taxpayer representative, the willful violation of—

''(A) any right under the Constitution of the United States;

''(B) any civil right established under—

''(i) title VI or VII of the Civil Rights Act of 1964;

''(ii) title IX of the Education Amendments of 1972;

''(iii) the Age Discrimination in Employment Act of 1967;

''(iv) the Age Discrimination Act of 1975;

''(v) section 501 or 504 of the Rehabilitation Act of 1973; or

''(vi) title I of the Americans with Disabilities Act of 1990; or

''(C) the Internal Revenue Service policy on unauthorized inspection of returns or return information;

''(4) willfully falsifying or destroying documents to conceal mistakes made by any employee with respect to a matter involving a taxpayer or taxpayer representative;

''(5) assault or battery on a taxpayer or taxpayer representative, but only if there is a criminal conviction, or a final adverse judgment by a court in a civil case, with respect to the assault or battery;

''(6) willful violations of this title, Department of the Treasury regulations, or policies of the Internal Revenue Service (including the Internal Revenue Manual) for the purpose of retaliating against, or harassing, a taxpayer or taxpayer representative;

''(7) willful misuse of the provisions of section 6103 for the purpose of concealing information from a congressional inquiry;

''(8) willful failure to file any return of tax required under this title on or before the date prescribed therefor (including any extensions) when a tax is due and owing, unless such failure is due to reasonable cause and not due to willful neglect;

''(9) willful understatement of Federal tax liability, unless such understatement is due to reasonable cause and not due to willful neglect; and

''(10) threatening to audit a taxpayer, or to take other action under this title, for the purpose of extracting personal gain or benefit.

''(c) DETERMINATIONS OF COMMISSIONER.—

''(1) IN GENERAL.—The Commissioner may take a personnel action other than a disciplinary action provided for in the guidelines under subsection (a)(2) for an act or omission described under subsection (b).

''(2) DISCRETION.—The exercise of authority under paragraph (1) shall be at the sole discretion of the Commissioner and may not be delegated to any other officer. The Commissioner, in his sole discretion, may establish a procedure to determine if an individual should be referred to the Commissioner for a determination by the Commissioner under paragraph (1).

''(3) NO APPEAL.—Notwithstanding any other provision of law, any determination of the Commissioner under this subsection may not be reviewed in any administrative or judicial proceeding. A finding that an act or omission described under subsection (b) occurred may be reviewed.

''(d) DEFINITION.—For the purposes of the provisions described in clauses (i), (ii), and (iv) of subsection (b)(3)(B), references to a program or activity regarding Federal financial assistance or an education program or activity receiving Federal financial assistance shall include any program or activity conducted by the Internal Revenue Service for a taxpayer.

''(e) ANNUAL REPORT.—The Commissioner shall submit to Congress annually a report on disciplinary actions under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 80 is amended by inserting after the item relating to section 7804 the following new item:

''Sec. 7804A. Disciplinary actions for misconduct.''.

(c) REPEAL OF SUPERSEDED SECTION.—Section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 (Public Law 105–206; 112 Stat. 720) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 302. CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOUPMENT.

(a) CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOUPMENT.—Subsection (b) of section 6214 (relating to jurisdiction over other years and quarters) is amended by adding at the end the following new sentence: ''Notwithstanding the preceding sentence, the Tax Court may apply the doctrine of equitable recoupment to the same extent that it is available in civil tax cases before the district courts of the United States and the United States Court of Federal Claims.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any action or proceeding in the Tax Court with respect to which a decision has not become final (as determined under section 7481 of the Internal Revenue Code of 1986) as of the date of the enactment of this Act.

SEC. 303. JURISDICTION OF TAX COURT OVER COLLECTION DUE PROCESS CASES.

(a) IN GENERAL.—Section 6330(d)(1) (relating to judicial review of determination) is amended to read as follows:

''(1) JUDICIAL REVIEW OF DETERMINATION.—The person may, within 30 days of a determination under this section, appeal such determination to the Tax Court (and the Tax Court shall have jurisdiction with respect to such matter).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to judicial appeals filed after the date of the enactment of this Act.

SEC. 304. OFFICE OF CHIEF COUNSEL REVIEW OF OFFERS IN COMPROMISE.

(a) IN GENERAL.—Section 7122(b) (relating to record) is amended by striking ''Whenever a compromise'' and all that follows through ''his delegate'' and inserting ''If the Secretary determines that an opinion of the General Counsel for the Department of the Treasury, or the Counsel's delegate, is required with respect to a compromise, there shall be placed on file in the office of the Secretary such opinion''.

(b) CONFORMING AMENDMENTS.—Section 7122(b) is amended by striking the second and third sentences.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to offers-in-compromise submitted or pending on or after the date of the enactment of this Act.

SEC. 305. 15-DAY DELAY IN DUE DATE FOR ELECTRONICALLY FILED INDIVIDUAL INCOME TAX RETURNS.

(a) IN GENERAL.—Section 6072 (relating to time for filing income tax returns) is amended by adding at the end the following new subsection:

''(f) ELECTRONICALLY FILED RETURNS OF INDIVIDUALS.—

''(1) IN GENERAL.—Returns of an individual under section 6012 or 6013 (other than an individual to whom subsection (c) applies) which are filed electronically—

''(A) in the case of returns filed on the basis of a calendar year, shall be filed on or before the 30th day of April following the close of the calendar year, and

''(B) in the case of returns filed on the basis of a fiscal year, shall be filed on or before the last day of the 4th month following the close of the fiscal year.

''(2) ELECTRONIC FILING.—Paragraph (1) shall not apply to any return unless—

''(A) such return is accepted by the Secretary, and

''(B) the balance due (if any) shown on such return is paid electronically in a manner prescribed by the Secretary.

''(3) SPECIAL RULES.—

''(A) ESTIMATED TAX.—If—

''(i) paragraph (1) applies to an individual for any taxable year, and

''(ii) there is an overpayment of tax shown on the return for such year which the individual allows against the individual's obligation under section 6641,

then, with respect to the amount so allowed, any reference in section 6641 to the April 15 following such taxable year shall be treated as a reference to April 30.

''(B) REFERENCES TO DUE DATE.—Paragraph (1) shall apply solely for purposes of determining the due date for the individual's obligation to file and pay tax and, except as otherwise provided by the Secretary, shall be treated as an extension of the due date for any other purpose under this title.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE IV—CONFIDENTIALITY AND DISCLOSURE

SEC. 401. COLLECTION ACTIVITIES WITH RESPECT TO JOINT RETURN DISCLOSABLE TO EITHER SPOUSE BASED ON ORAL REQUEST.

(a) IN GENERAL.—Paragraph (8) of section 6103(e) (relating to disclosure of collection activities with respect to joint return) is amended by striking ''in writing'' the first place it appears.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to requests made after the date of the enactment of this Act.

SEC. 402. TAXPAYER REPRESENTATIVES NOT SUBJECT TO EXAMINATION ON SOLE BASIS OF REPRESENTATION OF TAXPAYERS.

(a) IN GENERAL.—Subsection (h) of section 6103 (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new paragraph:

''(7) TAXPAYER REPRESENTATIVES.—Notwithstanding paragraph (1), the return of the representative of a taxpayer whose return is being examined by an officer or employee of the Department of the Treasury shall not be open to inspection by such officer or employee on the sole basis of the representative's relationship to the taxpayer unless a supervisor of such officer or employee has approved the inspection of the return of such representative on a basis other than by reason of such relationship.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 403. DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS WHO ARE NOT PARTY TO SUCH PROCEEDINGS.

(a) IN GENERAL.—Paragraph (4) of section 6103(h) (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new subparagraph:

''(B) DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS NOT PARTY TO SUCH PROCEEDINGS.—

''(i) NOTICE.—Return or return information of any person who is not a party to a judicial or administrative proceeding described in this paragraph shall not be disclosed under clause (ii) or (iii) of subparagraph (A) until after the Secretary makes a reasonable effort to give notice to such person and an opportunity for such person to request the deletion of matter from such return or return information, including any of the items referred to in paragraphs (1) through (7) of section 6110(c). Such notice shall include a statement of the issue or issues the resolution of which is the reason such return or return information is sought. In the case of S corporations, partnerships, estates, and trusts, such notice shall be made at the entity level.

''(ii) DISCLOSURE LIMITED TO PERTINENT PORTION.—The only portion of a return or return information described in clause (i) which may be disclosed under subparagraph (A) is that portion of such return or return information that directly relates to the resolution of an issue in such proceeding.

''(iii) EXCEPTIONS.—Clause (i) shall not apply—

''(I) to any civil action under section 7407, 7408, or 7409,

''(II) to any ex parte proceeding for obtaining a search warrant, order for entry on premises or safe deposit boxes, or similar ex parte proceeding,

''(III) to disclosure of third party return information by indictment or criminal information, or

''(IV) if the Attorney General or the Attorney General's delegate determines that the application of such clause would seriously impair a criminal tax investigation or proceeding.''.

(b) CONFORMING AMENDMENTS.—Paragraph (4) of section 6103(h) is amended by—

(1) by striking ''PROCEEDINGS.—A return'' and inserting ''PROCEEDINGS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a return'';

(2) by redesignating subparagraphs (A), (B), (C), and (D) as clauses (i), (ii), (iii), and (iv), respectively; and

(3) in the matter following clause (iv) (as so redesignated), by striking ''subparagraph (A), (B), or (C)'' and inserting ''clause (i), (ii), or (iii)'' and by moving such matter 2 ems to the right.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proceedings commenced after the date of the enactment of this Act.

SEC. 404. PROHIBITION OF DISCLOSURE OF TAXPAYER IDENTIFICATION INFORMATION WITH RESPECT TO DISCLOSURE OF ACCEPTED OFFERS-IN-COMPROMISE.

(a) IN GENERAL.—Paragraph (1) of section 6103(k) (relating to disclosure of certain returns and return information for tax administrative purposes) is amended by inserting ''(other than the taxpayer's address and TIN)'' after ''Return information''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disclosures made after the date of the enactment of this Act.

SEC. 405. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) (relating to State law requirements) is amended by adding at the end the following new paragraph:

''(9) DISCLOSURE TO CONTRACTORS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed by any officer or employee of any Federal agency or State to any contractor of such agency or State unless such agency or State—

''(A) has requirements in effect which require each contractor of such agency or State which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

''(B) agrees to conduct an annual, on-site review (mid-point review in the case of contracts of less than 1 year in duration) of each contractor to determine compliance with such requirements,

''(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

''(D) certifies to the Secretary for the most recent annual period that all contractors are in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor, a description of the contract of the contractor with the Federal agency or State, and the duration of such contract.''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 6103(p)(8) is amended by inserting ''or paragraph (9)'' after ''subparagraph (A)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to disclosures made after December 31, 2002.

(2) CERTIFICATIONS.—The first certification under section 6103(p)(9)(D) of the Internal Revenue Code of 1986, as added by subsection (a), shall be made with respect to calendar year 2003.

SEC. 406. HIGHER STANDARDS FOR REQUESTS FOR AND CONSENTS TO DISCLOSURE.

(a) IN GENERAL.—Subsection (c) of section 6103 (relating to disclosure of returns and return information to designee of taxpayer) is amended by adding at the end the following new paragraphs:

''(2) REQUIREMENTS FOR VALID REQUESTS AND CONSENTS.—A request for or consent to disclosure under paragraph (1) shall only be valid for purposes of this section or sections 7213, 7213A, or 7431 if—

''(A) at the time of execution, such request or consent designates a recipient of such disclosure and is dated, and

''(B) at the time such request or consent is submitted to the Secretary, the submitter of such request or consent certifies, under penalty of perjury, that such request or consent complied with subparagraph (A).

''(3) RESTRICTIONS ON PERSONS OBTAINING INFORMATION.—Any person shall, as a condition for receiving return or return information under paragraph (1)—

''(A) ensure that such return and return information is kept confidential,

''(B) use such return and return information only for the purpose for which it was requested, and

''(C) not disclose such return and return information except to accomplish the purpose for which it was requested, unless a separate consent from the taxpayer is obtained.

''(4) REQUIREMENTS FOR FORM PRESCRIBED BY SECRETARY.—For purposes of this subsection, the Secretary shall prescribe a form for requests and consents which shall—

''(A) contain a warning, prominently displayed, informing the taxpayer that the form should not be signed unless it is completed,

''(B) state that if the taxpayer believes there is an attempt to coerce him to sign an incomplete or blank form, the taxpayer should report the matter to the Treasury Inspector General for Tax Administration, and

''(C) contain the address and telephone number of the Treasury Inspector General for Tax Administration.''.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to the Congress on compliance with the designation and certification requirements applicable to requests for or consent to disclosure of returns and return information under section 6103(c) of the Internal Revenue Code of 1986, as amended by subsection (a). Such report shall—

(1) evaluate (on the basis of random sampling) whether—

(A) the amendment made by subsection (a) is achieving the purposes of this section;

(B) requesters and submitters for such disclosure are continuing to evade the purposes of this section and, if so, how; and

(C) the sanctions for violations of such requirements are adequate; and

(2) include such recommendations that the Treasury Inspector General for Tax Administration considers necessary or appropriate to better achieve the purposes of this section.

(c) CONFORMING AMENDMENT.—Section 6103(c) is amended by striking ''TAXPAYER.—The Secretary'' and inserting ''TAXPAYER.—

''(1) IN GENERAL.—The Secretary''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to requests and consents made after 3 months after the date of the enactment of this Act.

SEC. 407. NOTICE TO TAXPAYER CONCERNING ADMINISTRATIVE DETERMINATION OF BROWSING; ANNUAL REPORT.

(a) NOTICE TO TAXPAYER.—Subsection (e) of section 7431 (relating to notification of unlawful inspection and disclosure) is amended by adding at the end the following: ''The Secretary shall also notify such taxpayer if the Treasury Inspector General for Tax Administration determines that such taxpayer's return or return information was inspected or disclosed in violation of any of the provisions specified in paragraph (1), (2), or (3).''.

(b) REPORTS.—Subsection (p) of section 6103 (relating to procedure and recordkeeping), as amended by section 405, is further amended by adding at the end the following new paragraph:

''(10) REPORT ON UNAUTHORIZED DISCLOSURE AND INSPECTION.—As part of the report required by paragraph (3)(C) for each calendar year, the Secretary shall furnish information regarding the unauthorized disclosure and inspection of returns and return information, including the number, status, and results of—

''(A) administrative investigations,

''(B) civil lawsuits brought under section 7431 (including the amounts for which such lawsuits were settled and the amounts of damages awarded), and

''(C) criminal prosecutions.''.

(c) EFFECTIVE DATE.—

(1) NOTICE.—The amendment made by subsection (a) shall apply to determinations made after the date of the enactment of this Act.

(2) REPORTS.—The amendment made by subsection (b) shall apply to calendar years ending after the date of the enactment of this Act.

SEC. 408. EXPANDED DISCLOSURE IN EMERGENCY CIRCUMSTANCES.

(a) IN GENERAL.—Section 6103(i)(3)(B) (relating to danger of death or physical injury) is amended by striking ''or State'' and inserting '', State, or local''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 409. DISCLOSURE OF TAXPAYER IDENTITY FOR TAX REFUND PURPOSES.

(a) IN GENERAL.—Paragraph (1) of section 6103(m) (relating to disclosure of taxpayer identity information) is amended by striking ''and other media'' and by inserting '', other media, and through any other means of mass communication,''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 410. DISCLOSURE TO STATE OFFICIALS OF PROPOSED ACTIONS RELATED TO SECTION 501(c)(3) ORGANIZATIONS.

(a) IN GENERAL.—Subsection (c) of section 6104 is amended by striking paragraph (2) and inserting the following new paragraphs:

''(2) DISCLOSURE OF PROPOSED ACTIONS.—

''(A) SPECIFIC NOTIFICATIONS.—In the case of an organization to which paragraph (1) applies, the Secretary may disclose to the appropriate State officer—

''(i) a notice of proposed refusal to recognize such organization as an organization described in section 501(c)(3) or a notice of proposed revocation of such organization's recognition as an organization exempt from taxation,

''(ii) the issuance of a letter of proposed deficiency of tax imposed under section 507 or chapter 41 or 42, and

''(iii) the names and taxpayer identification numbers of organizations that have applied for recognition as organizations described in section 501(c)(3).

''(B) ADDITIONAL DISCLOSURES.—Returns and return information of organizations with respect to which information is disclosed under subparagraph (A) may be made available for inspection by or disclosed to an appropriate State officer.

''(C) PROCEDURES FOR DISCLOSURE.—Information may be inspected or disclosed under subparagraph (A) or (B) only—

''(i) upon written request by an appropriate State officer, and

''(ii) for the purpose of, and only to the extent necessary in, the administration of State laws regulating such organizations.

Such information may only be inspected by or disclosed to representatives of the appropriate State officer designated as the individuals who are to inspect or to receive the returns or return information under this paragraph on behalf of such officer.

''(D) DISCLOSURES OTHER THAN BY REQUEST.—The Secretary may make available for inspection or disclose returns and return information of an organization to which paragraph (1) applies to an appropriate State officer of any State if the Secretary determines that such inspection or disclosure may facilitate the resolution of State and Federal issues relating to such organization.

''(3) USE IN JUDICIAL AND ADMINISTRATIVE PROCEEDINGS.—Returns and return information disclosed pursuant to this subsection may be disclosed in civil administrative and judicial proceedings pertaining to the enforcement of State laws regulating such organizations in a manner prescribed by the Secretary similar to that for tax administration proceedings under section 6103(h)(4).

''(4) NO DISCLOSURE IF IMPAIRMENT.—Returns and return information shall not be disclosed under this subsection, or in any proceeding described in paragraph (3), to the extent that the Secretary determines that such disclosure would seriously impair Federal tax administration.

''(5) DEFINITIONS.—For purposes of this subsection—

''(A) RETURN AND RETURN INFORMATION.—The terms 'return' and 'return information' have the respective meanings given to such terms by section 6103(b).

''(B) APPROPRIATE STATE OFFICER.—The term 'appropriate State officer' means—

''(i) the State attorney general, or

''(ii) the head of any State agency, body, or commission which is charged under the laws of such State with responsibility for overseeing organizations of the type described in section 501(c)(3).''.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 6103 is amended—

(A) by inserting ''or section 6104(c)'' after ''this section'' in paragraph (2), and

(B) by striking ''or subsection (n)'' in paragraph (3) and inserting ''subsection (n), or section 6104(c)''.

(2) Subparagraph (A) of section 6103(p)(3) is amended by inserting ''and section 6104(c)'' after ''section'' in the first sentence.

(3) Paragraph (4) of section 6103(p) is amended—

(A) in the matter preceding subparagraph (A), by striking ''(16) or any other person described in subsection (l)(16)'' and inserting ''(16), any other person described in subsection (l)(16), or any appropriate State officer (as defined in section 6104(c))'', and

(B) in subparagraph (F), by striking ''or any other person described in subsection (l)(16)'' and inserting ''any other person described in subsection (l)(16), or any appropriate State officer (as defined in section 6104(c))''.

(4) Paragraph (2) of section 7213(a) is amended by inserting ''or under section 6104(c)'' after ''6103''.

(5) Paragraph (2) of section 7213A(a) is amended by inserting ''or 6104(c)'' after ''6103''.

(6) Paragraph (2) of section 7431(a) is amended by inserting ''(including any disclosure in violation of section 6104(c))'' after ''6103''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act but shall not apply to requests made before such date.

TITLE V—MISCELLANEOUS

SEC. 501. CLARIFICATION OF DEFINITION OF CHURCH TAX INQUIRY.

Subsection (i) of section 7611 (relating to section not to apply to criminal investigations, etc.) is amended by striking ''or'' at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting '', or'', and by inserting after paragraph (5) the following:

''(6) information provided by the Secretary related to the standards for exemption from tax under this title and the requirements under this title relating to unrelated business taxable income.''.

SEC. 502. EXPANSION OF DECLARATORY JUDGMENT REMEDY TO TAX-EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Paragraph (1) of section 7428(a) (relating to creation of remedy) is amended—

(1) in subparagraph (B) by inserting after ''509(a))'' the following: ''or as a private operating foundation (as defined in section 4942(j)(3))''; and

(2) by amending subparagraph (C) to read as follows:

''(C) with respect to the initial qualification or continuing qualification of an organization as an organization described in section 501(c) (other than paragraph (3)) which is exempt from tax under section 501(a), or''.

(b) COURT JURISDICTION.—Subsection (a) of section 7428 is amended in the material following paragraph (2) by striking ''United States Tax Court, the United States Claims Court, or the district court of the United States for the District of Columbia'' and inserting the following: ''United States Tax Court (in the case of any such determination or failure) or the United States Claims Court or the district court of the United States for the District of Columbia (in the case of a determination or failure with respect to an issue referred to in subparagraph (A) or (B) of paragraph (1)),''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to pleadings filed with respect to determinations (or requests for determinations) made after the date of the enactment of this Act.

SEC. 503. EMPLOYEE MISCONDUCT REPORT TO INCLUDE SUMMARY OF COMPLAINTS BY CATEGORY.

(a) IN GENERAL.—Clause (ii) of section 7803(d)(2)(A) is amended by inserting before the semicolon at the end the following: '', including a summary (by category) of the 10 most common complaints made and the number of such common complaints''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reporting periods ending after the date of the enactment of this Act.

SEC. 504. ANNUAL REPORT ON AWARDS OF COSTS AND CERTAIN FEES IN ADMINISTRATIVE AND COURT PROCEEDINGS.

Not later than 3 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress which specifies for such year—

(1) the number of payments made by the United States pursuant to section 7430 of the Internal Revenue Code of 1986 (relating to awarding of costs and certain fees);

(2) the amount of each such payment;

(3) an analysis of any administrative issue giving rise to such payments; and

(4) changes (if any) which will be implemented as a result of such analysis and other changes (if any) recommended by the Treasury Inspector General for Tax Administration as a result of such analysis.

SEC. 505. ANNUAL REPORT ON ABATEMENT OF PENALTIES.

Not later than 6 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress on abatements of penalties under the Internal Revenue Code of 1986 during such year, including information on the reasons and criteria for such abatements.

SEC. 506. BETTER MEANS OF COMMUNICATING WITH TAXPAYERS.

Not later than 18 months after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to Congress evaluating whether technological advances, such as e-mail and facsimile transmission, permit the use of alternative means for the Internal Revenue Service to communicate with taxpayers.

SEC. 507. EXPLANATION OF STATUTE OF LIMITATIONS AND CONSEQUENCES OF FAILURE TO FILE.

The Secretary of the Treasury or the Secretary's delegate shall, as soon as practicable but not later than 180 days after the date of the enactment of this Act, revise the statement required by section 6227 of the Omnibus Taxpayer Bill of Rights (Internal Revenue Service Publication No. 1), and any instructions booklet accompanying a general income tax return form for taxable years beginning after 2001 (including forms 1040, 1040A, 1040EZ, and any similar or successor forms relating thereto), to provide for an explanation of—

(1) the limitations imposed by section 6511 of the Internal Revenue Code of 1986 on credits and refunds; and

(2) the consequences under such section 6511 of the failure to file a return of tax.

SEC. 508. AMENDMENT TO TREASURY AUCTION REFORMS.

(a) IN GENERAL.—Clause (i) of section 202(c)(4)(B) of the Government Securities Act Amendments of 1993 (31 U.S.C. 3121 note) is amended by inserting before the semicolon ''(or, if earlier, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2))''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to meetings held after the date of the enactment of this Act.

SEC. 509. ENROLLED AGENTS.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

''SEC. 7527. ENROLLED AGENTS.

''(a) IN GENERAL.—The Secretary may prescribe such regulations as may be necessary to regulate the conduct of enrolled agents in regards to their practice before the Internal Revenue Service.

''(b) USE OF CREDENTIALS.—Any enrolled agents properly licensed to practice as required under rules promulgated under section (a) herein shall be allowed to use the credentials or designation as 'enrolled agent', 'EA', or 'E.A.'.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7525. Enrolled agents.''.

(c) PRIOR REGULATIONS.—Nothing in the amendments made by this section shall be construed to have any effect on part 10 of title 31, Code of Federal Regulations, or any other Federal rule or regulation issued before the date of the enactment of this Act.

SEC. 510. FINANCIAL MANAGEMENT SERVICE FEES.

Notwithstanding any other provision of law, the Financial Management Service may charge the Internal Revenue Service, and the Internal Revenue Service may pay the Financial Management Service, a fee sufficient to cover the full cost of implementing a continuous levy program under subsection (h) of section 6331 of the Internal Revenue Code of 1986. Any such fee shall be based on actual levies made and shall be collected by the Financial Management Service by the retention of a portion of amounts collected by levy pursuant to that subsection. Amounts received by the Financial Management Service as fees under that subsection shall be deposited into the account of the Department of the Treasury under section 3711(g)(7) of title 31, United States Code, and shall be collected and accounted for in accordance with the provisions of that section. The amount credited against the taxpayer's liability on account of the continuous levy shall be the amount levied, without reduction for the amount paid to the Financial Management Service as a fee.

SEC. 511. CAPITAL GAIN TREATMENT UNDER SECTION 631(b) TO APPLY TO OUTRIGHT SALES BY LAND OWNER.

(a) IN GENERAL.—The first sentence of section 631(b) of the Internal Revenue Code of 1986 (relating to disposal of timber with a retained economic interest) is amended by striking ''retains an economic interest in such timber'' and inserting ''either retains an economic interest in such timber or makes an outright sale of such timber''.

(b) CONFORMING AMENDMENT.—The third sentence of section 631(b) of such Code is amended by striking ''The date of disposal'' and inserting ''In the case of disposal of timber with a retained economic interest, the date of disposal''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales after the date of the enactment of this Act.

TITLE VI—LOW-INCOME TAXPAYER CLINICS

SEC. 601. LOW-INCOME TAXPAYER CLINICS.

(a) LIMITATION ON AMOUNT OF GRANTS.—Paragraph (1) of section 7526(c) (relating to special rules and limitations) is amended by striking ''$6,000,000 per year'' and inserting ''$9,000,000 for 2002, $12,000,000 for 2003, and $15,000,000 for each year thereafter''.

(b) LIMITATION ON USE OF CLINICS FOR TAX RETURN PREPARATION.—Subparagraph (A) of section 7526(b)(1) is amended by adding at the end the following flush language:

''The term does not include a clinic that provides routine tax return preparation. The preceding sentence shall not apply to return preparation in connection with a controversy with the Internal Revenue Service.''.

(c) PROMOTION OF CLINICS.—Section 7526(c) is amended by adding at the end the following new paragraph:

''(7) PROMOTION OF CLINICS.—The Secretary is authorized to promote the benefits of and encourage the use of low-income taxpayer clinics through the use of mass communications, referrals, and other means.''.

TITLE VII—REVISIONS TO SECTION 527 ORGANIZATION DISCLOSURE PROVISIONS

SEC. 701. MODIFICATIONS OF REPORTING REQUIREMENTS FOR CERTAIN STATE AND LOCAL POLITICAL ORGANIZATIONS.

(a) NOTIFICATION.—

(1) Paragraph (5) of section 527(i) (relating to organizations must notify Secretary that they are section 527 organizations) is amended by striking ''or'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', or'', and by adding at the end the following:

''(C) which is—

''(i) a political committee of a State or local candidate, or

''(ii) a local committee of an entity which is a political party under State law.''.

(2) Subparagraph (B) of section 527(j)(5) (relating to coordination with other requirements) is amended to read as follows:

''(B) to any organization which is—

''(i) a political committee of a State or local candidate, or

''(ii) a State or local committee of an entity which is a political party under State law,''.

(b) EXEMPTION FOR CERTAIN STATE AND LOCAL POLITICAL COMMITTEES FROM REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Paragraph (5) of section 527(j) (relating to required disclosures of expenditures and contributions) is amended by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively, and by inserting after subparagraph (B) the following new subparagraph:

''(C) to any organization which is an exempt State or local political organization,''.

(2) EXEMPT STATE OR LOCAL POLITICAL ORGANIZATION.—Subsection (e) of section 527 (relating to other definitions) is amended by adding at the end the following new paragraph:

''(5) EXEMPT STATE OR LOCAL POLITICAL ORGANIZATION.—

''(A) IN GENERAL.—The term 'exempt State or local political organization' means a political organization—

''(i) which does not engage in any exempt function other than to influence or to attempt to influence the selection, nomination, election, or appointment of any individual to any State or local public office or office in a State or local political organization,

''(ii) which is subject to State or local requirements to submit reports containing information—

''(I) regarding individual expenditures from and contributions to such organization, and

''(II) regarding the person who makes such contributions or receives such expenditures, which is substantially similar to the information which would otherwise be required to be reported under this section, and

''(iii) with respect to which the reports referred to in clause (ii) are made public by the agency with which such reports are filed and are publicly available for inspection in a manner similar to that required by section 6104(d)(1).

''(B) PARTICIPATION OF FEDERAL CANDIDATE OR OFFICE HOLDER.—The term 'exempt State or local political organization' shall not include any organization otherwise described in subparagraph (A) if a candidate for nomination or election to Federal elective office or an individual who holds such office—

''(i) controls or materially participates in the direction of the organization, or

''(ii) directs, in whole or in part, expenditures or fundraising activities of the organization.''.

(c) ANNUAL RETURN REQUIREMENTS.—

(1) INCOME TAX RETURNS REQUIRED ONLY WHERE POLITICAL ORGANIZATION TAXABLE INCOME.—Paragraph (6) of section 6012(a) (relating to general rule of persons required to make returns of income) is amended by striking ''or which has gross receipts of $25,000 or more for the taxable year (other than an organization to which section 527 applies solely by reason of subsection (f)(1) of such section)''.

(2) INFORMATION RETURNS.—Subsection (g) of section 6033 (relating to returns required by political organizations) is amended to read as follows:

''(g) RETURNS REQUIRED BY POLITICAL ORGANIZATIONS.—

''(1) IN GENERAL.—Every political organization (within the meaning of section 527(e)(1)), and every fund treated under section 527(g) as if it constituted a political organization, which has gross receipts of $25,000 or more for the taxable year shall file a return—

''(A) containing the information required, and complying with the other requirements, under subsection (a)(1) for organizations exempt from taxation under section 501(a), and

''(B) containing such other information as the Secretary deems necessary to carry out the provisions of this subsection.

''(2) EXCEPTIONS FROM FILING.—

''(A) MANDATORY EXCEPTIONS.—Paragraph (1) shall not apply to an organization—

''(i) which is an exempt State or local political organization (as defined in section 527(e)(5)),

''(ii) which is a State or local committee of a political party, or political committee of a State or local candidate, as defined by State law,

''(iii) which is a caucus or association of State or local elected officials,

''(iv) which is a national association of State or local officials,

''(v) which is an authorized committee (as defined in section 301(6) of the Federal Election Campaign Act of 1971) of a candidate for Federal office,

''(vi) which is a national committee (as defined in section 301(14) of the Federal Election Campaign Act of 1971) of a political party, or

''(vii) to which section 527 applies for the taxable year solely by reason of subsection (f)(1) of such section.

''(B) DISCRETIONARY EXCEPTION.—The Secretary may relieve any organization required under paragraph (1) to file an information return from filing such a return where he determines that such filing is not necessary to the efficient administration of the internal revenue laws.''.

(d) WAIVER OF PENALTIES.—Section 527 is amended by adding at the end the following:

''(k) AUTHORITY TO WAIVE.—The Secretary may waive all or any portion of the—

''(1) tax assessed on an organization by reason of the failure of the organization to give notice under subsection (i), or

''(2) penalty imposed under subsection (j) for a failure to file a report,

on a showing that such failure was due to reasonable cause and not due to willful neglect.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendments made by Public Law 106–230.

SEC. 702. NOTIFICATION OF INTERACTION OF REPORTING REQUIREMENTS.

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the Federal Election Commission, shall publicize information on—

(1) the effect of the amendments made by this Act, and

(2) the interaction of requirements to file a notification or report under section 527 of the Internal Revenue Code of 1986 and reports under the Federal Election Campaign Act of 1971.

(b) INFORMATION.—Information provided under subsection (a) shall be included in any appropriate form, instruction, notice, or other guidance issued to the public by the Secretary of the Treasury or the Federal Election Commission regarding reporting requirements of political organizations (as defined in section 527 of the Internal Revenue Code of 1986) or reporting requirements under the Federal Election Campaign Act of 1971.

SEC. 703. TECHNICAL CORRECTIONS TO SECTION 527 ORGANIZATION DISCLOSURE PROVISIONS.

(a) UNSEGREGATED FUNDS NOT TO AVOID TAX.—Paragraph (4) of section 527(i) (relating to failure to notify) is amended by adding at the end the following new sentence: ''For purposes of the preceding sentence, the term 'exempt function income' means any amount described in a subparagraph of subsection (c)(3), whether or not segregated for use for an exempt function.''.

(b) PROCEDURES FOR ASSESSMENT AND COLLECTION OF PENALTY.—Paragraph (1) of section 527(j) (relating to required disclosure of expenditures and contributions) is amended by adding at the end the following new sentence: ''For purposes of subtitle F, the penalty imposed by this paragraph shall be assessed and collected in the same manner as penalties imposed by section 6652(c).''.

(c) APPLICATION OF FRAUD PENALTY.—Section 7207 (relating to fraudulent returns, statements, and other documents) is amended by striking ''pursuant to subsection (b) of section 6047 or pursuant to subsection (d) of section 6104'' and inserting ''pursuant to section 6047(b), section 6104(d), or subsection (i) or (j) of section 527''.

(d) DUPLICATE ELECTRONIC AND WRITTEN FILINGS NOT REQUIRED.—Subparagraph (A) of section 527(i)(1) is amended by striking '', electronically and in writing,''.

(e) EFFECTIVE DATES.—

(1) SUBSECTIONS (a) AND (b).—The amendments made by subsections (a) and (b) shall apply to failures occurring on or after the date of the enactment of this Act.

(2) SUBSECTIONS (c) AND (d).—The amendments made by subsections (c) and (d) shall take effect as if included in the amendments made by Public Law 106–230.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the Taxpayer Protection and IRS Accountability Act of 2002 might be called modest, but if one looks at the particular provisions, I think for those individuals engaged with the Internal Revenue Service, I think they might find them relatively important.

The Chair would like to thank the gentleman from New York (Mr. HOUGHTON), the chairman of the Subcommittee on Oversight, and especially the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. CARDIN) in their ongoing work in providing the committee with excellent legislation.

As I said in announcing the call-up for the vote, that this bill was amended. It was amended in committee. Two amendments were taken, one by the gentleman from New York (Mr. RANGEL), which would allow IRS information to be provided to State Attorneys General. I think it is significant that it was offered by the gentleman from New York. The information is an examination of 501(c)(3) groups and whether they would refuse, or whether there was a revocation or whether there was

a tax deficiency reported at the Federal level, that information to be shared at the State level.

As my colleagues might imagine, how unseemly as it might be, there are individuals and groups who tried to take advantage of the disaster because of the events of September 11. There are individuals or groups who seek to take advantage of the charitable nature of Americans and New Yorkers as well. What this amendment does is allow the sharing of Federal information to assist in the State's administering their laws governing a charitable organization as well. Quite an appropriate amendment, and it was accepted on a voice vote.

The gentleman from Ohio, I think, speaking as well for the gentleman from Maryland, offered some specific amendments dealing with the way in which the IRS commissioner would treat IRS employees who were engaged in what have become now known as the ''10 deadly sins,'' based upon recent legislation in which if an employee of the IRS examines forms unauthorized, a number of them are grounds for immediate dismissal. As my colleagues might guess, that kind of an administrative tool perhaps is too extreme in some instances, and based upon the argument of the two gentlemen, it seemed persuasive to provide a degree of discretion to the commissioner in pursuing either disciplinary action or dismissal.

In addition to that, there are some other specific provisions that would greatly assist individuals who are interacting with the IRS, and I will go into those in some detail later.

Madam Speaker, I reserve the balance of my time.

Mr. RANGEL. Madam Speaker, I yield myself such time as I may consume.

I want to support what the chairman of the committee has said and the cooperative spirit that existed on the Ways and Means Committee under the leadership of the gentleman from New York (Mr. HOUGHTON) in working with the gentleman from Pennsylvania (Mr. COYNE) and the gentleman from Texas (Mr. DOGGETT) as well as the gentleman from Maryland (Mr. CARDIN) in correcting the duplicity that existed in terms of organizations reporting political contributions.

We had worked so well together on this, it was almost frightening, because it was done in an atmosphere that we do not normally enjoy on the Ways and Means Committee. So it should not have come as any shock to me when the bill that was overwhelmingly accepted by all members of the committee, that the Chairman would put in a poison pill at the very last minute that caused the committee to be divided on a party line vote.

It just seems to me that at the height, when the whole Nation is lauding the House and the Senate and the President for campaign finance reform, that if we find some flaw or some mistake or some area that we did not remove the fault, that we would take the opportunity under the Taxpayer Protection and IRS Accountability Act, may not be the right vehicle, but certainly that we would improve on what the House and Senate has done.

Instead of that, this bill has a provision in it, a fatally flawed provision, that opens up gaping loopholes in our campaign finance disclosure laws, so big that every reform group in the Nation that campaigned for campaign finance reform are now prepared to say that this is no way for us to conduct business.

We do not take a good piece of legislation like the Taxpayer Protection and IRS Accountability Act and then put a sleeper poison pill in it to kill all of the good work that Members on both sides of the aisle, led by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) and Senator MCCAIN, the person from the other body, we just do not do it. It is not fair, it is not equitable, it is not moral. It just may be legal.

Then on top of that, to compound the moral failing of the way this legislation comes to the floor, it is presented as though it is noncontroversial, or certainly that is the reason why it goes on the suspension calendar; no amendments, no opportunity for people who disagree with parts of the bill to vote on an amendment. One does not have to be a campaign manager to know that it was a party vote in the committee. That sounds pretty controversial to me. Why not have it to be at least a vote on the floor where people can at least express themselves?

So it is not bad enough that my colleagues bring it out on the Suspension Calendar, and I might add far too many tax bills are coming out on the Suspension Calendar, but my colleagues are not asking that we vote on it this evening. A lot of people may wonder why is it that we would bring a bill out that is so popular that we put it on the Suspension Calendar and not request a vote this evening?

The reason for it is that they do not even want Members to stick around here to find out what the debate is on the bill. There are no votes, so Members can now leave the floor, leave the Hill, and take care of other business; because this issue, according to the leadership, is not important enough for them to stay around and vote on it. Oh, stay around and talk about it, if one will. It is just so unfair when people have worked so hard to try to sneak this in in the middle of the night, with no one on the floor, and do not even say vote for it until tomorrow.

Then we come in tomorrow and there will be a vote, without any debate, without any discussions. Because of what? Because the rules prohibit it. How well packaged.

I think we will defeat this, not because we do not appreciate the work that has been done by the Members on the base bill, but we are going to defeat it just because people think that they can get away with anything in this House. Some Republicans did not stand for it in the committee, and I think many more Members are not going to stand for this if my colleagues allow a vote on it at least tomorrow.

Madam Speaker, I reserve the balance of my time.

Mr. THOMAS. Madam Speaker, I yield myself such time as I might consume.

I am kind of interested in the words that the gentleman from New York used, ''filled with loopholes,'' ''fatally flawed,'' ''poison pill.'' I find it ironic that two-thirds of the Democrats on the committee voted for it. It is true all of the Republicans voted for it, and if my colleagues spent the time to really look at what the provision the gentleman was referring to in correcting current law does, the sum and substance is to basically say if someone is reporting to an agency that requires a person under the State and local laws of the State to report, they also do not have to duplicate that reporting at the Federal level if they are not involved in Federal activities. That is the sum and substance of what it is that the gentleman from Texas (Mr. BRADY) offered and was included in the bill.

I find it interesting that there was a press conference today by the very same gentleman that my friend and colleague from New York mentioned, Senator MCCAIN and Senator LIEBERMAN, and, of course, the bulk of that press conference was complaining about the current law, that they do not like the current 527, the one that they put into effect. It is not enough.

The answer is they will never be satisfied. And what we have to do is look at what is reasonable and prudent, and numbers of groups have said that the double reporting when we are not involved at the Federal level is a significant burden. One would say, how burdensome is it? The IRS form that they are required to fill out says, as part of the truth in packaging and paperwork law, how many hours it requires to deal with the form. The number on that form is 94 hours; 94 hours of filling out a form in which someone was not involved in any way in a Federal election because of the way in which the legislation was written.

What this bill does is correct that to say that there are no loopholes, that people who are required to report in the previous law are required to report today. The so-called stealth or phantom PACs are required to report as current law requires. What we do is remove the duplication.

Madam Speaker, I reserve the balance of my time.

Mr. RANGEL. Madam Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN), an outstanding member of our committee.

Mrs. THURMAN. Madam Speaker, I would say to our chairman that I think one of the issues here is that we are really trying to get an opportunity to

debate this issue, and not under the consent calendar, and to move it along in a different manner.

I would also bring in today that we had a hearing in the Subcommittee on Oversight that I know the gentleman from New York (Mr. HOUGHTON) and others have worked very hard on, and I want to remind the body that this bill is actually called the Taxpayer Protection and IRS Accountability Act, which I think is important for us to understand. I was concerned when I went to this hearing today because there have been some articles over the last couple of days that talk about Affluent Avoid Scrutiny on Taxes Even as IRS Warns of Cheating. In my own newspaper at home, Poorly Aimed Audits: The IRS is giving more scrutiny to the returns of the working poor than to those of wealthy people who have formed partnerships or special corporations. It is just not fair and it makes little sense.

I think the point that the gentleman from New York (Mr. RANGEL) is making is that we are not going to have another Taxpayers Protection Act come out of this House. We are not going to have the opportunity to debate this again. But we do have the opportunity to do it now, and if we went through the process of going to the Committee on Rules, looking at some of these issues that the commissioner and other folks in this country brought to our attention today, we might have the opportunity to actually send a better bill than what potentially would come out of here today.

I think there is a single issue here that I feel strongly about. We are going to send our tax payments to the IRS on April 15th. Every taxpayer has a right to believe that others are also paying their taxes. They need to believe that tax cheaters are going to be discovered, they are going to be audited, and they are going to be punished and they are going to be treated like everybody else.

□ 1945

I think we have some new information before this bill went through the committee process. We have a process set up that we can use in a debating process, to go to the Committee on Rules, fix some of these issues; and I think it would be a much better bill and I think we would find more support.

I would say I do not want to tell people at home that one out of 47 working-poor taxpayers will be audited, but only one of 145 of high-income taxpayers and one in 400 partnerships get the same treatment. We need to do something about that, and we do not need to wait. We need to include this in the bill, and we need to do it in the right process.

Mr. THOMAS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I say to the gentlewoman that the record shows that the gentlewoman voted for this bill. We are not limited by the number of bills that we can report out. This bill was based upon previous hearings. I am going to call shortly the chairman of the Subcommittee on Oversight, who the gentlewoman discussed today; and it will very likely lead to additional legislation, and we will move additional bills.

The idea that we would hold hearings all year long and never move a bill, and then try to pull it together at the end is a novel idea. We might want to consider it, but it certainly runs against the tradition of this House.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON), the chairman of the Subcommittee on Oversight.

Mr. HOUGHTON. Madam Speaker, I am delighted to be able to talk about this bill very briefly.

I know there is a contentious issue on 527. I do not think that it is a serious one. Members can have their own opinions, but I think there are enough safeguards to make it accountable. I want to talk about some of the other important features.

The bill allows the IRS to waive unfair penalties. The bill allows taxpayers more time to contest levies. The bill allows the IRS to forgive interest when a taxpayer receives an erroneous refund. The bill also makes several reforms on the 10 deadly sins. There is even an 11th deadly sin now.

Madam Speaker, this bill is pro-taxpayer and promotes commonsense solutions to some of the more frustrating issues that we are dealing with. I hope my colleagues support the bill.

Mr. RANGEL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I agree with the gentleman from New York (Mr. HOUGHTON) that it is a good bill, and it is totally unfair to have this contentious idea included in this bill; and I ask for its defeat. This provision should not be in the bill. It fatally flaws the good work that has been done.

Madam Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN), one of the outstanding reformers of campaign finance, who certainly knows good legislation when he sees it, and the gentleman also knows a poison pill when he smells it, and thank the gentleman for all of the fine work that he has done in campaign finance reform.

Mr. MEEHAN. Madam Speaker, I agree with the underlying bill as well. I congratulate the bipartisanship of the Committee on Ways and Means for coming together to put together a good bill; but, unfortunately, there is a provision in this bill that even if Members disagree with it, should not be part of a suspension.

Madam Speaker, just 2 weeks ago the President signed into law the most comprehensive rewrite of this Nation's campaign finance laws in a generation. It is an enormous step towards cleaner elections and a better democracy. The ink on this new law is barely dry, and we are already debating a proposal to add back the loopholes. The Taxpayer Bill of Rights bill is a good bill, but it includes several provisions that will torpedo key disclosure requirements for so-called stealth PACs. These disclosure requirements were put in place by a law that this Congress passed 2 years ago to shine sunlight on organizations influencing Federal elections without disclosing a dime of their expenditures or contributions.

This bill would exempt State and local PACs from Federal disclosure requirements even where there is not adequate disclosure at the State level. What does that mean? How do we know that States are going to require disclosure of every single contribution. We cannot have guarantees; that is why we needed a stealth PAC legislation.

There are so-called sham issue ads that disguise themselves as real issue ads. They influence Federal elections. This bill is a loophole, the beginning of what many of us are afraid will be a series of loopholes designed to undermine campaign finance reform that this Congress passed and the President of the United States signed.

This bill would permit State and local PACs for which Federal office holders raise soft money, Federal office holders raising soft money to qualify for this exemption from Federal filing requirements. That is why this provision should not be in this bill.

All Members should be proud of what we have accomplished on campaign finance reform. It was a historic effort by both sides of the aisle to pass meaningful disclosure requirements, to rein in sham issue ads, and to bring some accountability back to our Federal campaign finance system, or any ads meant to influence a Federal election.

We should not be taking steps backwards after taking major steps forward. Let us work together, as our colleagues on the other body have said, and they have had a dialogue about this in a bipartisan, responsible way to fix the 527 law. The gentleman from Texas (Mr. DOGGETT) has been on this issue for some time. In fact, the gentleman warned many of us 2 years ago when we were debating this legislation that there might be a loophole. Let us do this the right way and not undermine the wonderful work that this Congress has done on campaign finance reform.

Mr. THOMAS. Madam Speaker, I yield myself 45 seconds.

Madam Speaker, perhaps the gentleman does not understand the law. The sham issue ads are not involved with the IRS and the reporting structure. If a Federal office holder influences a State and local PAC decision, this says they have to report at the Federal level. If there is Federal activity, they report at the Federal level. There is no loophole that is created. What it gets rid of is duplication where if a State and local PAC, not involved at the Federal level, that has to report at the State and local level. And as the

gentleman indicated, he wants them to report on the Federal level even though they are not involved in Federal activity.

At some point we have to ask ourselves whether continuing to use the phrase ''why put in loopholes, why do a poison pill,'' Members ought to look at the specifics of the legislation instead of the rhetoric, and ought to respond to what is on the page instead of chasing bogeymen.

Madam Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. PORTMAN), a valued member of the Committee on Ways and Means in helping us write reasonable and responsive legislation, and not press releases.

Mr. PORTMAN. Madam Speaker, I rise this evening in strong support of this legislation. It is good commonsense legislation that will help protect taxpayers. This is a busy week for a lot of Americans. Millions of us are filing our tax returns, trying to get them in by April 15. This is time for us to provide a little bit of help.

In 1998, this Congress passed historic legislation to restructure and reform the IRS and included over 50 new taxpayer rights and substantial reforms to the way the IRS operates. This legislation tonight, I think, builds on those efforts; and I commend the chairman and the gentleman from New York (Mr. HOUGHTON) for bringing it forward.

Madam Speaker, tax records do contain sensitive and personal information; and no one, not even the employees of the IRS, should be allowed to see them without a legitimate reason. This legislation makes it very clear that there will be stiff penalties for IRS employees who explore taxpayers' records without proper authorization.

It also encourages broader use of electronic filing. This is extremely important. The IRS is able to process tax returns in a much more timely fashion with electronic means. It is also less expensive for the IRS; and, therefore, the taxpayers save money. And electronic returns have been shown to be more accurate. There are fewer IRS errors, and this is great news for taxpayers. We want to encourage it, and so will extend the filing deadline until April 30 for those willing to file electronically.

The legislation we are debating today also adds some commonsense reform to IRS penalties. The gentleman from New York (Mr. HOUGHTON) talked about these earlier. Many individuals and companies make innocent mistakes on their tax returns and are then hit with outrageous fines and penalties. This bill allows the IRS to waive unfair penalties for taxpayers with good records who have made honest mistakes.

The bill is good news for low-income taxpayers. It substantially increases the funding available for low-income taxpayer clinics. This is something that we put in place with the restructuring reform act, the thought being that when low-income individuals are involved with disputes with the IRS, they need a little help, and these clinics have proven to be very successful in helping taxpayers who do not have the means to be able to deal with the IRS when disputes arise. I commend the chairman for bringing it forward and providing funding for it.

There are a lot of other important things that this legislation accomplishes. We have heard from the other side of the aisle about the section 527 provisions. As I see it, these are also sensible changes. The changes in section 527 are in keeping with what our original intent was in Congress in passing 527 reforms. This relates strictly to those organizations and entities that only deal with State and local issues. All it says is that we should not have burdensome and duplicative filing requirements at the Federal level where there is a State filing. This State filing has to be substantially similar, and any time there is any Federal involvement in any way, taxpayers have to file at the Federal level.

Madam Speaker, I do not see the loophole here. I think the legislation we have on the bill this evening is going to help taxpayers. It makes sense. It is the kind of stuff we ought to be doing as we approach April 15 to help Americans with their dealings with the IRS.

Mr. RANGEL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we are not going to hear too much debate because the method selected by the leadership to bring this bill to the floor actually restricts debate. I know that the chairman of the Committee on Ways and Means says that most of us have restricted our understanding of the bill to tax press releases and do not have a clear understanding of the legislation.

I have to admit that the chairman is one of the brightest people that we have in the House, if not in the Congress; but the gentleman does not have a reputation of supporting campaign finance reform; and the Members who think they understand it, like the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), and like the editorial writers of all of our major newspapers that fought hard for campaign finance reform, while not nearly as bright as the chairman, believe it is a flaw and believe it is a loophole. So even a little compassion, even if we do not have debate, can go a long way.

Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), the minority whip.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding me this time, and I associate myself with his very eloquent remarks about the stealth nature in which this bill is being brought to the floor of the House. Stealth is a good word for it. It is about abuses of stealth PACs, which this bill would reinstitute.

Less than 2 weeks after President Bush signed a historic campaign finance reform bill into law, the Republican leadership once again wants to weaken one of its primary provisions. The New York Times calls this bill a travesty, and a travesty it is. Two years ago this House voted, under the leadership of our distinguished ranking member, the gentleman from New York (Mr. RANGEL), and a hard-working member of the committee whose leadership was essential to this, the gentleman from Texas (Mr. DOGGETT), to require that political organizations which are exempt from taxation under section 527 of the IRS Code to disclose their contributions and expenditures. One would think this would have been made to order for the Republicans who have argued over time that we did not need campaign finance reform, all we needed was disclosure. And now this bill foils attempts at disclosure.

□ 2000

This when it was passed was a major campaign finance reform initiative adopted after abuses by the stealth PACs which ran attack ads under the tax-exempt section of the code without meaningful disclosure.

This proposal tonight would allow individuals to hide behind groups to influence the political system without disclosing who they are or where they got their money. The notion that this is simply an attempt to get rid of duplicative reporting requirements was shown to be a farce when the Republicans would not allow a proposed Democratic amendment that would have eliminated duplication but still ensures that there would be full disclosure. Instead, this bill opens up new loopholes in the 527 reporting requirement and creates potential for abuse. It is clearly an attempt by opponents of campaign finance reform to begin to erode the excellent provisions of the Shays-Meehan bill.

I urge my colleagues to reject this travesty and seriously object to the manner in which this bill was railroaded to the floor. This body spent a good deal of time focusing on campaign finance reform. We had to take extraordinary measures to get the bill heard on the floor of this Congress with a discharge petition. The bill has passed both Houses, it has been signed by the President of the United States, and it is being undermined by the proposal that the Republicans are putting on the floor today.

I urge our colleagues to vote ''no.''

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH), a member of the committee.

Mr. HAYWORTH. Madam Speaker, I listened with great interest to my friend, the distinguished minority whip from the State of California, and listened to her say vote ''no'' on this. Understand that a ''no'' vote means a lack of real reform where it counts: to allow people to pay penalties to the IRS in a reasonable and rational way; to allow

those who have inadvertently made a mistake to be recused from the wrath of a government charging them inordinately for a mistake they made in good faith.

And speaking of good faith, does it not make sense to have those who are involved in the political process report via the 527 situation there? Indeed, we see we have form 990 here. We already know that Members of Congress file a return form 1120POL which is required to be made public.

And what is interesting, do you want to have bipartisanship? Even the general counsel of the Democratic National Committee admits these additional forms are unnecessary. Joe Sandler was recently quoted as saying, ''It just doesn't make sense to require campaigns and parties to file the forms as these organizations already provide detailed disclosure of their finances.''

Full disclosure? Absolutely. Redundant disclosure targeting those who are not even involved in the political process? Of course not. That is what this bill does. That is why we should support it, in the spirit of real reform and rational regulation, not bureaucratic overkill and other alternative consequences.

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 1–3/4 minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Madam Speaker, I commend the chairman for bringing to the floor a bill which received bipartisan support in the Committee on Ways and Means, a bill which was supported by two-thirds of the members of the committee, both Democrat and Republican. It is taxpayer protection, it is IRS accountability, it is IRS reform.

I would note the tax administration reforms that are included in this are good. We are all interested in improving electronic filing and our goal is 80 percent by the year 2007. Today, the IRS Commissioner noted that the reforms regarding electronic filing today will help them achieve that goal by allowing an extra 15 days for those who file electronically.

But because so much of the discussion in this room has focused on the 527 provisions, I thought I would focus on them as well. Two years ago, this House passed 527 reforms, legislation that was well intentioned. We gave some surprises for some folks back home, our local officials and our State legislators, and some local organizations who discovered all of a sudden that the heavy hand of the IRS was targeted at them. They were told that even though they are already reporting to the county clerk in Grundy County, my home county, and they are already reporting to the Illinois State Board of Elections, that they also have to fill out a form to the IRS, and if they fail, even if they were unaware of this law, that they faced IRS penalty.

I would note that this legislation eliminates double reporting by State and local organizations and also allows the IRS to waive penalties for unintentional violations. The opponents of this legislation feel that is still okay. But here are the facts. If you are run by a Member of Congress or you play a role in Federal campaigns, you still have to file with the IRS. If you are solely a State or local organization and only get involved in State or local issues, you file as you currently do with the State board of elections or the local county clerk. Why should someone who only has activity in Illinois file with the IRS in Washington? Why should they not be allowed to do what they have already done and file with the folks in Springfield?

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, one of the tenets in Washington is if your argument does not have substance, describe it as a loophole. The fact of the matter is Congress hates to admit its mistakes, and this debate tonight is proof.

When Congress targeted unreported Federal PACs, stealth PACs, 2 years ago in the bill that I supported, we unintentionally fired into the crowd, putting new and burdensome Federal reporting requirements on a lot of people we should have never done it to, these people like local legislators, school board candidates, school bond issues, local sheriffs, who have nothing to do with stealth PACs. It turned out to be more like stealth legislation. They had no idea they got caught up as innocent victims in this bill and are facing heavy penalties for unknowingly violating Federal law.

Without Congress acting responsibly now to correct our mistake, finding the true stealth PACs among the more than 13,000 unnecessary reports is akin to searching for a needle in a haystack. You have to ask yourself, what national policy interest is served by forcing local candidates to report to Washington what they spent to buy the highest bidder at the local county fair? We are trying to scrutinize stealth PACs, not stealth FAA supporters. We took great care to follow the intent of the law and everyone who files today will file tomorrow because we have created no loopholes. In fact, we have strengthened campaign finance reform by putting a spotlight on true stealth PACs and relieving the mistaken, innocent victims from reporting in the future.

This bill is a win-win because it relieves those non-Federal candidates and it is a bright white light on our stealth Federal PACs. They will receive that greater scrutiny they deserve; that is, if Congress is willing to own up to its mistake.

Mr. RANGEL. Madam Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS) who has displayed bipartisan leadership on the question of campaign finance reform. We all are proud of him as a Member.

Mr. SHAYS. Madam Speaker, I thank the gentleman for yielding me this time. One of the problems when a bill has a name after you, it personalizes the debate and it disguises really what is at issue. I think that the one thing that unites opponents and proponents of campaign finance reform is disclosure. We all said we were for it. There is duplicative filing that needs to be addressed. But I really believe that the 527 provision that is put in this bill, substantially similar, defined by the States, is a loophole. It is not the camel's head under the tent, something that can be a bigger problem in the future. It will be a problem immediately.

The one thing we know with our campaign finance reform bill is 527s are going to proliferate. We know that. Special interests will have a greater say. We know that. That is what people on both sides of the aisle argued for: Let the Americans have their say. But if you do not disclose it, you have got a gigantic problem. And if you allow the States to define ''substantially similar,'' you have a loophole. What will happen is people will go to the State that has the biggest loophole to disguise their expenditures and their contributions.

I really regret that this is in a good bill. But this provision is deadly, I think, to disclosure. Therefore, we have no choice but to oppose the bill and hopefully if it is defeated, it will be brought out without this provision and then we can get a provision that will work.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from California (Mr. THOMAS) has 4 minutes and the gentleman from New York (Mr. RANGEL) has 2½ minutes.

Mr. RANGEL. I have one speaker left.

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Louisiana (Mr. VITTER) who has been focusing on this issue since the time that he arrived in Congress.

Mr. VITTER. Madam Speaker, I stand to strongly support this bill and particularly the 527 provisions. I support it because I am a strong advocate of reform and have a strong reform record, both in the Congress and in the State legislature.

The gentleman from Connecticut (Mr. SHAYS) made some points, but I think the logical extension of all of his comments is that we should federalize every aspect of disclosure around the country and not have any State systems State by State, because a political action committee only qualifies for this exemption if they do not spend a penny on Federal races. If they have any involvement in any Federal race whatsoever, then they are still obligated to file under Federal law. This exemption only applies to them if they are active purely on the local and State level. Furthermore, even if that is the case, if a Federal official is involved in a meaningful way in their activity, then the exemption still does not apply for them.

Duplicative filing is not reform. It is the enemy of reform. Mounds and mounds of useless paper is not productive for disclosure. It is the enemy of disclosure. Therefore, making this corrective action is very much consistent in promoting reform. And duplicative filing, burdensome regulations, federalizing all campaign finance disclosure, that is not reform, that is moving in the wrong direction. That is why I strongly support this corrective legislation, the 527 provisions in this bill.

Mr. RANGEL. Madam Speaker, I yield the balance of my time to the gentleman from Texas (Mr. DOGGETT), this outstanding member of the Committee on Ways and Means, to close our debate. Since he led the fight for reform in the tax committee, I think he can most eloquently explain our position.

The SPEAKER pro tempore. The gentleman from Texas (Mr. DOGGETT) is recognized for 2½ minutes.

Mr. DOGGETT. Madam Speaker, I thank the gentleman for yielding time.

This has been a truly historic year for reform, for genuine campaign finance reform, for cleaning up our political system. It is so troubling that at the very moment that the bipartisan Shays-Meehan, McCain-Feingold bill was being approved across the Capitol, that here in the House, some of those who have been the most effective in delaying that reform from becoming a reality were working to undermine it before it could even be signed into law with the approval of this legislation.

When we banned soft money in that bipartisan reform, we knew that the soft money would be out searching for a new home. What we did not know was that the ''for rent'' sign for that new home would be up before the reform law was even signed into being. It just goes to show that you can dead-bolt the front door, but reform opponents will always be seeking ways to get the money in the back window.

The 527 language in this bill does not require that each and every contribution and expenditure be reported anywhere. That is a loophole. The 527 language in this bill terminates all Federal disclosure, even when Federal candidates and officeholders are actively participating in raising funds. That is a loophole. I believe we need bipartisan solutions on this issue, just like every other one that concerns campaign finance. That is why the Senate agreed on a bipartisan answer to the duplicative filing issue, put it in the President's tax bill, and the conference committee, chaired by the gentleman from California (Mr. THOMAS), removed it last year from that tax bill.

□ 2015

That is why the language that I offered as an alternative to deal with duplicative filing in the committee-tracked language that Mr. LIEBERMAN and my Senator, KAY BAILEY HUTCHISON, proposed. They have now proposed some further improvement on that language, and I plan to introduce the very same language and seek bipartisan support for it here in the House, because some State and local officials do have legitimate concern, and we ought to eliminate duplicative filing, but we ought to do it without creating new gaps in the reform law that was just signed by the President.

This morning, at a public citizen press conference that highlighted how really extensive 527s are being used to abuse and funnel millions into campaigns, JOHN MCCAIN, JOE LIEBERMAN, and RUSS FEINGOLD said this proposal will never become law. Let us save them the time, and disapprove it this evening.

Mr. THOMAS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is really amazing when you listen to the individuals argue why they do not want this to become law, the argument that there is some duplication and that we ought to correct it. The gentleman from Texas who just spoke did not spend too much time talking about his suggested amendment which was defeated in committee, because it will give you an idea of what they mean by duplicate. His amendment said that any State or local government would be exempt from reporting to the Federal level if the law they had in place was exactly identical to the Federal law.

You heard the gentleman in the well on our side say that the only way you are ever going to carry these arguments to their logical conclusion is to make everything Federal, require everyone to report to the Federal level.

The gentleman from New York wanted to know why this was included in a bill which was labeled ''Taxpayer Protection and IRS Accountability.'' I can tell you why: Because the burden placed on these individuals is to file Internal Revenue Service papers. They are irrelevant to the activities at the Federal level that are carried on in the State and local governments.

The Texas Funeral Directors Association, no Federal involvement, has to file. The New York Physical Therapy Association, no Federal involvement, has to file. The Baltimore Sitting Judges Committee, no Federal involvement, has to file. Why? Because the law says they have to file, not because they are involved in any way in Federal elections.

Let me underscore this point, because our opponents do not seem to understand this. If you are involved, if you are dealing directly with Federal elections, you are going to be required to continue to report at the Federal level. If you are not, you will report to those reporting requirements that are in place in the State and local level. That is the sum and substance of this adjustment.

But if you really read Senator MCCAIN and Senator LIEBERMAN's statements carefully, they do not even like the current law. What they want is more intrusive specific reporting when you are not involved at the Federal level. Disclosure only works if people believe it is appropriate disclosure.

The gentleman from Connecticut's example was an example of someone violating the law; not that this is a loophole. The activity that he discussed, which said it was a loophole, is violating the law. It is violating the law under current law, it would violating the law under this amendment if it becomes law.

If you look at the good taxpayer provisions in this measure, including removing duplication, this is a bill worth voting for, as 34 Members of the Committee on Ways and Means did, and I ask your support.

Madam Speaker, I include for the RECORD correspondence between the Committee on Ways and Means and the Committee on Government Reform regarding the jurisdictional matters on H.R. 3991.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT REFORM,
WASHINGTON, DC, APRIL 9, 2002.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On March 20, 2002, the Committee on Ways and Means ordered reported H.R. 3991, the ''Taxpayer Protection and IRS Accountability Act of 2002,'' as amended. The bill was subsequently referred to the Committee on Government Reform because section 301 of the amended bill addressed matters that are within the jurisdiction of the Committee on Government Reform under House Rule X, clause 1(h)(1).

After examining the amended bill and consulting with the Committee on Ways and Means, the Committee on Government Reform will not take any action on the bill in order to expedite its consideration on the floor. This does not constitute waiver of the Committee's jurisdiction over H.R. 3991. Furthermore, the Committee reserves its authority to seek conferees on any provisions of the bill that fall within the Committee's jurisdiction during any House-Senate conference that may be convened on this legislation.

Sincerely,

DAN BURTON,
Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,
WASHINGTON, DC, APRIL 9, 2002.

Hon. DAN BURTON,
Chairman, Committee on Government Reform, Washington, DC.

DEAR CHAIRMAN BURTON: Thank you for your letter regarding H.R. 3991, the ''Taxpayer Protection and IRS Accountability Act of 2002.''

As you have noted, the Committee on Ways and Means has ordered favorably reported H.R. 3991, the ''Taxpayer Protection and IRS Accountability Act of 2002.'' I appreciate your agreement to expedite the passage of this legislation despite affecting provisions within the jurisdiction of the Committee on Government Reform. I acknowledge your decision to forego further action on the bill was based on our mutual understanding that it will not prejudice the Committee on Government Reform with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

Finally, I will include in the Congressional Record a copy of our exchange of letters on

this matter. Thank you for your assistance and cooperation. We look forward to working with you in the future.

Best regards,

BILL THOMAS,
Chairman.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3991, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. RANGEL. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. WELDON of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3991, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PLAN COLOMBIA SEMI-ANNUAL OBLIGATION REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–198)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Pursuant to section 3204(e), of Public Law 106–246, I am providing a report prepared by my Administration detailing the progress of spending by the executive branch during the last two quarters of Fiscal Year 2001 in support of Plan Colombia.

GEORGE W. BUSH.
THE WHITE HOUSE, *April 9, 2002.*

SCIENCE AND ENGINEERING INDICATORS 2002—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science:

To the Congress of the United States:

As required by 42 U.S.C. 1863(j)(1), I am pleased to submit to the Congress a report prepared by the National Science Board entitled, ''Science and Engineering Indicators—2002.'' This report represents the fifteenth in the series examining key aspects of the status of science and engineering in the United States.

GEORGE W. BUSH.
THE WHITE HOUSE, *April 9, 2002.*

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

UNIVERSITY OF MINNESOTA MEN'S HOCKEY TEAM MAKES AMERICA'S HOCKEY STATE VERY PROUD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. RAMSTAD) is recognized for 5 minutes.

Mr. RAMSTAD. Madam Speaker, I rise to salute the University of Minnesota Golden Gophers men's hockey team on winning their fourth national championship Saturday night in St. Paul.

Minnesota has a long and proud hockey tradition. This weekend, as one of our newspapers put it, we experienced a ''Return to Glory.'' On Saturday night, right in our State's capital city, the University of Minnesota, my proud alma mater, added an illustrious new chapter to our State's proud hockey heritage.

Madam Speaker, in one of the most thrilling NCAA championship games ever played, the University of Minnesota defeated the University of Maine 4-to-3 in an overtime edge-of-your-seat nail-biter, a game that meant the 2002 NCAA men's ice hockey championship for the University of Minnesota. And, believe me, this was no ordinary hockey game. Both teams were fueled by powerful motivating forces that produced one of the most entertaining, hard-fought and memorable games ever played.

Last season, the Gophers lost to Maine in an overtime game in the NCAA Tournament, and that memory united this year's Gophers team and provided the motivation to fight to the very end of the season's championship game.

Maine had plenty of motivation also. The Black Bears had lost their longtime coach of 17 years, Shawn Walsh, to cancer just before the season started, and the Black Bears put forth a tremendous effort in memory of Coach Walsh.

Madam Speaker, this champion season has been a long time coming, and it sure feels great to every Minnesota hockey fan. All of Minnesota is extremely proud of this talented, never-say-die team, which rallied to tie the championship game with just 52 seconds left in regulation on a goal by Matt Koalska, a St. Paul native playing in his hometown. The Gophers and Black Bears then battled through an intense 17 minutes of overtime before realizing the dream of all Minnesota hockey fans when Grant Potulny scored that winning goal.

By tying the game in the final seconds of regulation and then winning in overtime, the University of Minnesota hockey team joins the list of legendary teams.

Madam Speaker, there have been so many stars this season for the champion Gophers. I hesitate to mention any at risk of leaving out others, but they were a true team in the real meaning of that word. They came together in pursuit of a common goal, winning a national championship. Each player, each trainer, each coach, each manager, played a pivotal role during the season, picking each other up at the crucial time.

Goalie Adam Hauser made 42 saves in the championship game. Hauser had 83 victories in his career, breaking the WCHA record. Adam also set league and school records for games played, shutouts and saves.

All-American senior Johnny Pohl of Red Wing, Minnesota, ended his college career by leading the entire Nation in scoring.

Madam Speaker, each and every one of these Gophers hockey players gave the record crowd of 19,324 great fans plenty to cheer about Saturday night, and in fact all season long. Jordan Leopold, a graduate of Armstrong High School in my district, was a big part of this season's greatness. Leopold won the Hobey Baker Award, which is college hockey's version of the Heisman Trophy, for his outstanding play. He is the fourth Gopher to win college hockey's highest honor.

Madam Speaker, I also want to commend Coach Don Lucia for an outstanding job of coaching. The history of Golden Gophers hockey is reflected by its legendary coaches, and Coach Lucia joins this respected group: John Mariucci, Glen Sonmor, Doug Woog, Herb Brooks, a guy who knows a thing or two about miracles on ice.

Madam Speaker, these hockey Gophers join the University of Minnesota's title winning teams of 1974, 1976 and 1979, and will forever be etched in the annals of the greatest Minnesota hockey teams.

This year's team played with amazing consistency. They never lost consecutive games, and finished with a record of 32 wins, 8 losses and 4 ties. The team's six seniors improved their record each and every year and provided solid senior leadership.

Madam Speaker, the 2001–2002 Gophers hockey team will be remembered forever by Minnesotans and hockey

fans throughout the world. All Minnesotans and Gophers hockey fans everywhere are very proud of this team, and we congratulate our national champions.

The SPEAKER pro tempore (Mr. FERGUSON). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

SUPPORTING THE ISRAELI OCCUPATION OF THE WEST BANK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, I rise to speak to the issue of the terrible violence that has been wracking the Middle East over the recent weeks, and I rise to speak in support of the Israeli occupation of the West Bank.

I believe very strongly that the primary purpose of government, above and beyond all other issues, is to protect the safety and the security of the people that they represent. This is very, very clear to us here in the United States, where following the attack on the World Trade Center, on the Twin Towers, our government has focused on the need to strengthen our national defenses, to strengthen our border security, to give the FBI and the CIA the tools they need to defend our Nation.

□ 2030

It is irrelevant to talk about so many of these other important issues that we wrestle with, like education, like reducing taxes on the American families; it is irrelevant to talk about these things if our people are dying in the streets. But yet, this is exactly what has been going on in Israel in recent weeks.

During the holy week time period, Christiandom was celebrating Easter and the Hebrew people were celebrating the Jewish holiday of Passover, and people all over the world were shocked to see over and over and over again, day after day, another suicide bomber blowing himself up, blowing herself up, and, in many cases, killing dozens of people around them; the most horrific acts of violence, killing innocent men, women, children, leaving those who survived these explosions frequently with grotesque and horrible injuries that will take years and maybe be impossible to fully recover from. This is the situation that the leadership in Israel, Prime Minister Sharon, the Knesset, the Government of Israel were wrestling with, and by occupying the West Bank, they have done the right thing. They have moved the conflict away from the Israeli people, away from the citizenry, and into the Palestinian areas, which is where these suicide bombers were coming from.

I believe that it would be wrong for the Israeli Government, it would be wrong for Ariel Sharon to withdraw from the West Bank until, and only until, they can be certain that they can maintain the safety and the security of the Israeli people in this kind of environment.

I would like to just say in closing that the process, the peace process that has led ultimately to the creation of the beginnings of a Palestinian state in the West Bank was always predicated on the belief, at least on the part of the American people, that the PLO was striving, was working towards having peaceful coexistence with the Israeli people. But I must say, I do not believe that was ever the agenda. Indeed, I was shocked, I was amazed to recently read an interview that Yasar Arafat, the leader of the PLO, recently gave to the Arab television network, with Al-Jazeera. He is quoted as saying, ''We defend not only Palestine, the Arab Nation, and not only the holy Islamic and Christian places, but also men of freedom and honor all over the world. This is our destiny. This is a divine decree. Let those far and near understand, none among the Palestinian people or Arab nation will be willing to bow and surrender, but we will ask Allah to grant martyrdom, to grant martyrdom.'' He repeated it twice.

He then went on to say, ''To Jerusalem we march, martyrs by the millions. To Jerusalem we march, martyrs by the millions, to Jerusalem we march, martyrs by the millions,'' and he went on to say it again. Through the course of what was a 5, 10 minute interview on this Arabic television station, he went on to call for martyrs by the millions.

Now, this is not news to many people who have been following the career of Yasar Arafat. Indeed, he goes on radio every day in the Palestinian territories calling for the destruction of the Israeli state, calling on more people to come forward to martyr themselves for the cause of destroying the Israeli state, to push, as he likes to say, the Jewish people into the sea.

We will never have peace in the Middle East until Yasar Arafat, the Palestinian people, agree to give up the type of horrific, unspeakable violence that they have been inflicting upon the citizens of Israel. The Israeli defense forces need to continue this effort to root out the fundamentalist Islamic terrorists that are occupying the West Bank, and they should not withdraw.

GENERAL MUSHARRAF'S REFERENDUM

The SPEAKER pro tempore (Mr. FERGUSON). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I come to the House floor this evening to discuss Pakistan's self-proclaimed President, General Pervez Musharraf's plan to hold a referendum in Pakistan on April 30 to extend his presidency for 5 years. Mr. Speaker, I am very disappointed by the steps General Musharraf is taking to extend his military rule and to further bar democracy in Pakistan.

In October of 1999, General Musharraf came to power in Pakistan when he overthrew the elected government of former Prime Minister Sharif. In June of 2001, 20 months following his coup, Musharraf declared himself the President of Pakistan. At that time, Musharraf claimed that his presidential declaration was an initial step towards promoting democracy in traditionally dictatorial Pakistan. But, Mr. Speaker, I felt that based on his past actions, including the dissolving of the national assembly, or parliament, and four provincial assemblies, the reality was just the opposite.

We are faced with a similar situation today in that Musharraf is simply paying lip service to democratic rule by holding this referendum on April 30. Besides Musharraf's continued steps towards extending dictatorial rule in Pakistan, there are several other aspects of holding this referendum that I find problematic.

From what I understand, a referendum to extend Musharraf's rule by 5 years is illegal and unconstitutional under Pakistan's constitution. Their constitution mandates that both houses of parliament must elect the President. In addition, after the 1999 coup, Musharraf was bound by the constitution to restore democracy in Pakistan by October of 2002, this year. But clearly these propositions were false.

As a result of Musharraf's blatant disregard for constitutional law, there has been opposition to the referendum within Pakistan. The 15-party Alliance for the Restoration of Democracy, which includes the country's two main parties, has been vocal about Musharraf's unconstitutional means to remain President. In addition, there has been public backlash against the referendum plan from Pakistan's leading newspapers, major Islamic parties, and the 54-nation Commonwealth of Britain and its former colonies.

The leaders of the opposition party in Pakistan attempted to hold a rally against the referendum, which led to the arrest of dozens of their leaders by the police. The arrest of these leaders caused major concern because not only is Musharraf proceeding with an unlawful referendum, but he is also barring leaders of the opposition party to publicly protest. Although a ban on rallies has been in effect in Pakistan to quell Islamic extremist rallies, it is unacceptable that Musharraf is allowing the ban on rallies to apply to a rally in opposition to his presidential referendum.

Mr. Speaker, I would like to also discuss Pakistan's human rights record, which clearly exemplifies that stripping citizens of the right to protest

against an unlawful referendum is just the tip of the iceberg. A recent report by the Human Rights Commission of Pakistan indicated that respect for human rights in Pakistan is afforded to few and that women and children in particular experience tremendous violence and discrimination.

These facts provide a glimpse of the social conditions in Pakistan. However, other human rights violations such as limited press and religious freedom, torture and killings by the police and lack of free and fair elections are also evidenced in the report.

Although Musharraf has been an ally to the United States in the war against terrorism, we cannot forget that he is the dictatorial leader of Pakistan and that he is not in fact the duly elected President. The political, social, and economic situation in Pakistan is bleak. This fragile country can only be improved by a democratic leader who will represent the interests of Pakistani citizens. It is unsettling to think of the negative repercussions of 5 more years of rule under Musharraf, given the current majority of opposition and given the current lack of basic human rights afforded to Pakistanis.

URGING SUPPORT FOR RESOLUTION TO INFLUENCE MEXICO TO REJECT OPEC AFFILIATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 5 minutes.

Mr. GEKAS. Mr. Speaker, soon after the tragic attacks on our institutions on September 11, as everyone knows, our economy began to sink, to plummet to depths that we could not have foreseen. While we were struggling to right our ship, as it were, the OPEC nations decided, before the end of the year, before the end of 2001, to cut oil production, which would have the natural consequence of rising prices at the gas pump here in the United States and elsewhere. This was an insult added to injury to have our former allies, like Saudi Arabia and Kuwait who are part of OPEC, to make certain that prices would rise at the gas pump in the midst of an economy that was being severely hurt by what had happened at the World Trade Center and at the Pentagon and in Pennsylvania.

Imagine my surprise then when, we all know that OPEC has to depend on the non-OPEC nations to go along with their guidelines, their decisions on oil production and pricing, et cetera; imagine my surprise, my pleasant surprise when I learned that Mexico, for instance, was not going to join with OPEC in this drastic decision that they made.

Well, that was good news for the United States on two fronts: one, that Mexico, our neighbor to the south, was sticking with the United States in its hour of economic peril and, in effect saying to OPEC, no thank you, they will not go along with the price-setting and oil production cuts that OPEC proclaimed. Imagine my next round of surprises when not too long after that, Mexico, in a meeting with Venezuela, decided to jump back into the OPEC pool and there again indicate to the world that they were going to join OPEC in the cutting of oil production, thereby having the effect of rising prices at the gas pump.

Now, this is the same Mexico that said that they would not join with OPEC. Now they have decided to stick with OPEC; and in doing so, they slapped us right in the face, because the cut in production of 100,000 barrels per day, or cut of availability to the United States of that 100,000 barrels a day, was an ingredient that caused the rise of prices that we saw in March of 15 to 17, and some places higher than that, 17 to 20 cents a gallon over a short period of time, and more to come, because the normal period for rising prices, the summer season, is already upon us.

Well, I have introduced a resolution just today which would call upon the President and the administration to again approach our OPEC allies, as they were, they were allies, Kuwait and Saudi Arabia; as a matter of fact, we came to their aid, we came to their side against an aggression by Iraq. We are asking the administration to convince or to try to convince those allies of ours whom we saved in that particular period of time to produce what is needed for the consumption in the world without regard to setting prices and to cutting production to artificially raise prices while, at the same time, the resolution calls for extra efforts to convince our neighbor to the south, Mexico, not to join with OPEC.

Mr. Speaker, the Mexican economy and the Mexican-American border which we share, all of that depend on a strong American economy. The Mexican economy itself depends on the American economy. Can my colleagues imagine that they would take steps to cause rises in the prices at gas pumps? We must convince them that they should renounce joining with OPEC now and forever and to remain with the United States in a hemispheric system to become an economic engine of its own. We do not need OPEC if Mexico would simply deal with the United States in oil production.

So this resolution calls for an important foray into Mexican-American relations, strictly with respect to the OPEC cartel and the insistence of Mexico to go along with OPEC. We cannot tolerate that.

So whatever comes by way of oil production, if the United States and Mexico can cooperate one on one in the production of oil and in the market, sale and pricing of oil, the American economy will be better off and, therefore, so will the Mexican economy. I ask for Members to join in this resolution.

TRIBUTE TO NATIONAL CHAMPIONS MARYLAND TERRAPINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, as the boxing great Muhammad Ali once observed, ''Champions are not made in gyms. Champions are made from something they have deep inside them, a desire, a dream, a vision.''

Thus, it is with great pride, Mr. Speaker, that I rise tonight, a 1963 graduate of the University of Maryland at College Park and a current member of the University system's Board of Regents, to congratulate the men's basketball team and a fellow alumnus, Coach Gary Williams, for realizing their dream 8 days ago: winning the 2002 national championship, the first in the university's long history.

□ 2045

Too often perhaps, Mr. Speaker, we imbue athletic competition with a seriousness beyond its significance. However, anyone who watched these 12 Terrapins this season observed the qualities that carried them to the mountaintop: hard work and determination, teamwork and skill, and an unbending will to win that allowed them to overcome virtually every obstacle. Those are lessons for life as well as success in sports.

After the Terrapins had won their game with the Indiana Hoosiers in the title game on April 1, Washington Post columnist Thomas Boswell wrote, ''This was not just a great Maryland team. In time, it will be seen as a champion among champions.''

Who could argue with that? There was the school record for wins in a season, 32, the fourth consecutive season with 25 wins or more. There was the undefeated home record of 15–0 at Cole Field House in the last year of play in Cole Field House. What a way to end a run.

There was the second straight appearance in the Final Four and the ninth straight appearance in the NCAA Tournament under Coach Williams, and there was the first Atlantic Coast conference regular season championship in some 22 years.

The path to preeminence, however, of course was not paved with ease. There was a heartbreaking loss to Duke University in the Final Four last year. There was a season opening loss and an unexpected defeat in the ACC tournament this year. There was personal hardship off the court, as well.

The national championship, Mr. Speaker, was never a coronation. The Terrapins faced and defeated perennial basketball powerhouses Kentucky, Connecticut, Kansas, and then Indiana. Collectively, those teams won over 15 national titles.

In hindsight, it was fitting to win the championship on that road. Difficulty and adversity vest victory with an even greater sense of accomplishment. No

one will ever claim that these young men and Coach Williams failed to earn the title ''champion.''

The Terrapin team, led by senior guard Juan Dixon, who overcame incredible adversity in his life, losing his two parents when he was just a teen, Juan Dixon took their loyal fans through the peaks and valleys of competition, and we shared their deep disappointments, but yes, we shared their final joy, as well.

Juan's superb shooting and defense were as crucial to this team's success as was Steve Blake's ballhandling and passing ability, Lonnie Baxter's powerful inside game and rebounding, Chris Wilcox's fierce blocks, and Byron Mouton's energy, hustle, spark, and extraordinary defense.

It is a tribute to this team's depth that practically every member, every nonstarter, entered the game and we picked up points, be it Tahj Holden; Calvin McCall; Andre Collins; Drew Nicholas, an extraordinary young guard who would have started on any other team in the country; Ryan Randle; Earl Badu; and Mike Grinnon, 12 extraordinary young people. The Terrapins would actually increase their lead when those young people filled in for our starters.

This championship, of course, is the ultimate tribute to the architect of the men's basketball program, Gary Williams. There can be no doubt, Gary is one of the finest coaches in college athletics today, but that was true regardless of the outcome of last week's final championship game. Gary has been a winner wherever he has coached, amassing an extraordinary record of 481 career wins in 24 years. He was a winner at American University, Boston College, and Ohio State University before returning to his alma mater and becoming the champion.

Gary was not alone, of course. He was ably assisted by Dave Dickerson, Jimmy Pastos, Matt Kovarik, and director of basketball operations Troy Wainwright.

I must point out, Mr. Speaker, the contributions of Dr. Deborah Yow, the university's athletic director, one of two women in America who head up a major program. In her 8 years in that position, she has laid the groundwork not only for this national championship and an Orange Bowl appearance by the football team this year, but also for a national all-sports ranking in the top 15 percent of the NCAA Division One institutions.

Again, Mr. Speaker, I know that all the Members of the House join me in congratulating the University of Maryland Terrapins for a championship hard won and well earned.

In closing, Mr. Speaker, let me observe that the University of Maryland now becomes one of five teams in history to have a team that won both the National Football Championship and the National Basketball Championship.

Gary Williams, Maryland Terrapins, thank you, thank you for a great year and for great examples.

The SPEAKER pro tempore (Mr. FERGUSON). Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

(Mr. FOLEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICA SHOULD PRACTICE ENGAGEMENT TO PROMOTE WORLD PEACE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I just want to add my congratulations to those of the distinguished gentleman from Maryland. I, too, was proud of those young men as very fine examples for the young people of America. Congratulations again for both of their success stories.

Mr. Speaker, I believe this is an important time as we return back from the work recess that Members were just participating in. I believe it is an important time because we have many challenges before us besides the domestic economy. We have the issue of peace. I do believe that Americans want peace. I believe the world wants peace, and that peace we want to be found in the Mideast.

I want to bring to the attention of my colleagues an editorial in the Houston Chronicle today, Tuesday, April 9. It reads: ''Weapons Check. Measure of trust and hope in IRA announcement.''

The first two paragraphs read, ''While so much attention is focused on the near-war in the Mideast, one of the world's other long-running sectarian struggles got a bit of good news with the announcement on Monday of further weapon decommissioning by the Irish Republican Army.

''This week marks the fourth anniversary of the signing of the historic 'Good Friday Agreement,' through which the British government offered to trade a number of significant governance concessions in exchange for similar moves from the Irish Republican resistance, including the 'decommissioning,' or putting out of commission, of illegal explosives and other weapons.''

While the op ed goes on to raise concerns on whether or not they are making sure that all the Ts are crossed and the Is are dotted, it did end with the emphasis that we must have trust and we must have hope.

I cite this opinion because I want to discuss this evening the value of diplomacy and the value of negotiations. I believe the tragedy which faces us in the Mideast has come about for a number of reasons, and I am sure that policymakers proficient in foreign policy issues as it relates to the Mideast over a long period of years will have many, many analyses on the Mideast crisis. But I certainly would point to one that I believe and hope we can turn around, and that is the lack of engagement.

On the floor of the House on February, 2001, I spoke to this issue. It was shortly after the unfortunate lack of agreement on the agreement that had been negotiated by the past administration, a very effective agreement that Prime Minister Barak and we would have hoped that President Arafat would have considered as one of the best opportunities for trust and hope.

It was not consummated, but in the lack of consummating that peace treaty, I believe this administration made an egregious error. Upon coming into office, their quick response was, let them handle it; let them solve it.

We see now some 12, 13 months later that, tragically, that did not work. We have seen the loss of lives of women and men and children, of Israelis and Palestinians. Any of us who care for human life and love people are tragically, tragically upset that we have lost so many lives over the period of time.

Advocates for the survival and existence of Israel, our friend and ally, recognize that no loss of life, no matter who it is, should be accepted, the loss of life of those who lived in the Palestinian areas or in Israel.

We recognize that we who are Americans have both benefit and burden. When I speak to my constituents, I explain to them the importance of foreign policy and the appropriation of the small percentage that we utilize to engage in diplomacy and friendship around the world. And most of them, people of good will, people who are willing to think outside of the box, understand that we who have the benefit of living in this country also have the burden of engagement; no, I did not say sending troops everywhere around the world, but diplomacy. Diplomacy works.

Tragically, as I attended a Passover seder this past Passover holiday with my friends, a very blessed time, we were facing tragedies of suicide bombers in Israel. We cannot tolerate that, as we cannot tolerate the continued warring that is going on, and the loss of life.

Today it is reported that 13 Israeli soldiers were killed, again by a suicide bomber. None of this brings about peace. I am reminded by the words of President Lyndon Baines Johnson 40 years ago who said that the guns and bombs, the rockets and warships, all are symbols of human failure. That means it is most important that this administration turns around and begins to look long-term at engagement.

The sending of Secretary Powell is a good step, but it cannot be a short-lived step or a 24-hour step. We have to engage the brilliance of our diplomacy and make it work. I believe if we sit down at the table of reconciliation, recognizing that this has turned into a crisis, it has been a festering sore from lack of attention for over a year because somebody else had the policies.

I want peace. I want to be one that promotes love and affection, and I am not someone, Mr. Speaker, as I close, I am not someone that misreads the tea leaves. I know what we are dealing with in the Mideast, but I have hope and I believe we can have trust. I believe through engagement and diplomacy we can bring a stability to that area.

I ask the administration and the Congress, I ask Americans, to really get behind the idea of peace in the Mideast.

SENSIBLE ENERGY POLICIES AND PRACTICES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I am a little surprised by some of the comments of the previous speaker. Who does not want peace? But this speaker criticizes the administration because they have not engaged in diplomacy? I wonder what the speaker would recommend after September 11. Should the United States of America have called bin Laden and said, ''Let us engage in diplomacy''?

I would say, with all due respect to the previous speaker, take a look at the history of dealing with Yasser Arafat. Take a look at how many administrations have tried to engage, have come up with different types of agreements. The only common denominator we see throughout that history of engagement is Yasser Arafat. Take a look at every administration.

I am amazed that one would have the gumption, I guess we would say, to stand up here and criticize this administration because they are not engaging in ''diplomacy.''

Some Members of Congress, some of us sometimes, and I refer to all of us as Members of Congress, since when do we know all of what is going on in the Middle East? Maybe before we are so critical of the administration in the height of a crisis in the Middle East, maybe we ought to learn a little bit about what goes on behind closed doors, what are those negotiations that are taking place.

What do we expect Israel to do? What we would do if suicide bombers kept coming into our shopping malls or came over on Passover? That bomb, that suicide bomber on Passover would be like coming into America on Christmas Eve and blowing up Santa Claus. What do we think the response of that country is going to be?

Every nation in this world has an inherent, an inherent right, in fact, an inherent obligation to protect their population, to protect their people.

What do we think the United States of America, and I refer to the previous speaker, what do we think the United States of America would do if somebody started walking into our shopping malls with suicide bombers? Do we think we would engage in a diplomatic fashion with the aggressors? No, we would not engage with them, any more than we would engage in diplomatic discussions with bin Laden.

Once we knew that bin Laden was the person who was in charge, who coordinated, who ordered that devastating blow against our Nation on September 11, I did not hear one American, with the exception of maybe a couple of Congressmen, I did not hear one other American say, gosh, we ought to dial up Mr. bin Laden and we ought to sit down with him and have some diplomatic discussions with him.

□ 2100

My gosh, Mr. bin Laden, look what you have done. You have killed 3,000 people in America. You have killed hundreds of people from 80 separate countries. You have killed men. You have killed women. You have killed children. You have killed mothers. You have killed fathers. You have killed sisters. You have killed brothers. But, Mr. bin Laden, let us sit down and have a diplomatic discussion with you, because if we do not sit down and have a diplomatic discussion with you, we must not be as the previous speaker said, ''engaged,'' and that is upon the premise which the previous speaker criticizes this administration. Look, I think before one criticizes the President or before one criticizes Colin Powell or before one criticizes the efforts, one ought to know what is going on behind closed doors. What are the facts? What kind of contacts have they had? And regardless of where you stand on the issue, what country in the world can continue to sustain suicide bombers coming in with devastating blows against their innocent population? These are not military strikes. These bombers do not have enough guts to meet at the O.K. Corral and have a showdown on Main Street. Instead, they sneak in the back door of a department store and blow it to smithereens.

I heard on Public Radio the other day, Public Radio had this long discussion about a Palestinian woman who was pregnant and who was about to deliver, but she could not deliver because the Israel military had occupied the street and they could not get an ambulance to her so she had to deliver in her home. Not once during that discussion on Public Radio, not once did we hear any kind of discussion about that pregnant mother that was blown to smithereens by a suicide bomber, no chance at all. We have got to be a little fair in our approach here.

I am amazed, to me, the more and more I hear the anti-Jewish rhetoric, the anti-Israel rhetoric, I would like to ask any of you who are perpetrators of that kind of comment, what would you do if somebody walked in one of your relative's house and blew it to smithereens? Do as the previous speaker said? Call them on the phone and say let us have some diplomatic engagement or be subject to criticism because you went over and you tried to eliminate the person who has done everything they can to destroy you.

I am no expert on the Middle East. I read about it every day. I spent time today flying on the plane, most of my time; my reading was on the Middle East. I grab all the information I can about the Middle East. But I am awful careful before I jump out and criticize the administration on their policy on the Middle East unless I think I have got a better answer. And, frankly, I do not know what the solution in the Middle East is. But I do not think the solution is to criticize our leaders because they have not sat down so-called sat down and had diplomatic engagement. Anybody that alleges that there has not been diplomatic engagement in the Middle East shows a very clear demonstration of a lack of knowledge of history. There has been time and time and time again of diplomatic engagement in the Middle East.

Of course, everybody wants to settle it peacefully. We would like to have settled issues peacefully prior to September 11. But sometimes the aggressor offers you no choice. Do you realistically think that on September 12 America thought that one of the options we had was to sit down with bin Laden and to have ''diplomatic engagement'' with this villain, with this man so full of hatred that he killed thousands of innocent people with one strike? And if he is alive, you can be sure he is not thinking about diplomatic engagement. He is not thinking about anything to further his religion. He is thinking about an evil strike, how else can he get back at the United States of America. Tell me what the mind was, what kind of sound minds of these suicide bombers or these perpetrators, for example, on September 11. They did not target one specific group. They did not care whether they were Muslims. They killed Muslims in those towers. There were people of the Islam faith that were killed. They killed people of 50 different nationalities from 80 different countries. They did not discriminate between men and women, between children and mothers and fathers and so on.

Sometimes I am surprised at the remarks, although having been here for a few years I am getting kind of used to it; but sometimes I am a little surprised at the remarks made on this House floor, and especially to have in my opinion to stand up here at the height, hours after they have just had

another event in the Middle East and to have some who would describe it as audacity to criticize this administration because they have not sat down and held hands and talked peace. Again, it shows a complete lack of knowledge of the history of the Middle East.

I think all of us would be much further ahead, and I think it would advance the interests of this country and advance the interests of our constituents if, when we discuss a subject like the Middle East, at least we have some extensive background in it, at least we come in with some historical knowledge of the subject of which we offer ourselves experts. I think we ought to have that responsibility.

I do not think we ought to come in here half-cocked and start criticizing the administration in the Middle East hours after what is alleged to be, I do not know what is on the TV, alleged to be a 10-year-old suicide bomber, a 13-year-old suicide bomber. Tell me how you can sit down with people who would take a young child, strap bombs on them and throw an ambush in against another country, and you tell me about diplomatic engagement. Talk to me about a bomber that goes in on Passover, which again is like Christmas Eve, like blowing up Santa Claus at Christmas here in the United States, tell me how many people would be excited to have diplomatic engagement with those kind of people.

Let us be honest about it; there are evil people in the world, and there are people that have to be dealt with on their own terms. There are a lot of people in this world that they do not like this touchy-feely stuff; they do not understand that kind of thing. They understand strength and they understand fear. And if they can get fear over strength, that is exactly how they weaken the strong.

Now, I do not mean to get all riled up up here, but I think all of us have an obligation whether the administration is Democrat or Republican, I think we all have an obligation before we criticize the administration within hours of a suicide bomber, that we learn a little information instead of standing up here and saying no diplomatic engagement. What we need is engagement, engagement.

Give me a break. Look at the history of the Middle East. We are trying to figure out the answer. There is engagement 24 hours a day over there in the Middle East. Some of the brightest scholars our country has ever produced have not figured out what to do in the Middle East. I would be awful careful. I would be a little cautious about criticizing people who are a lot more engaged in the Middle East than those of us sitting on the floor of the House of Representatives. That is not to take away the right to question, or the right to visit with these people or understand that history and then have a debate here. But gosh darn it, we ought to learn a little bit more about the subject before we pretend to be expert on the floor.

I listened to the gentleman from Florida's (Mr. WELDON) discussion, who was two or three speakers back. I commend what the gentleman said. I think a lot of what the gentleman said, a lot of what he pointed out was accurate. How do you address the situation where somebody continually sends suicide bombers, not against your military targets, but against your shopping malls, against your citizens, into restaurants, one of them was a wedding reception? I think the gentleman's points were pretty valid.

The Middle East is a tough situation. Afghanistan is a tough situation. OPEC, the gentleman from Pennsylvania (Mr. GEKAS) said it very well. Take a look at OPEC. OPEC, so-called allies of ours, OPEC has taken every advantage they can to manipulate the price of oil so that they can take a lot of those revenues, frankly, and direct them against U.S. interests. Now look, it is a free market system. We are capitalists, and OPEC has a right to do that. But we should not just sit by and be idle.

What happens? Take a look at the old Adam Smith theory. If you come into a community and you have a product that people need, but you continue to gouge the people and gouge the people and gouge the people, and you have a capitalistic society like our society is, what happens? Somebody in that community is going to say, you know something, the gentleman's product over there, the product he is selling, he is gouging us on it. I think I can get a product that offers the same benefits his product does. I can sell it at a cheaper price. I will not gouge the people. I will sell more of the product, and in the long run I will actually make more money.

I think that kind of leads us into a discussion I wanted to talk about this evening and that is energy and production of energy in this country. I have heard, and unfortunately, without trying to be too partisan, but it is reality, it is kind of a general philosophy of the Democratic side, well, what we need to do is more alternative energy methods, and we need to conserve more, but no more exploration or limit the exploration. Let us go into conservation and alternative energy.

I agree with two of the three points that the Democrats are saying. In fact, a lot of what they have said on the first two points were presented by the Republican side. Number one, of course, we ought to look for alternative energy. That is exactly what happened in my previous example here. The guy comes into town. He starts gouging on a product. The people in the community start looking for alternatives so they are not subject to the rule of that individual. That is exactly what we have to do with energy. I wholeheartedly endorse, wholeheartedly endorse that we look for alternative methods of production of energy. But that does not mean we should go on some white elephant chase.

We hear continually if you do not subsidize this or you do not subsidize that, you do not support alternative energy. The fact is it has got to make some sense. It has got to have a realistic chance of succeeding, and then I think the government should get behind it.

We have been able to develop a lot of things throughout the history of our Nation. Our Nation is one of the greatest nations in the history of the world because of our innovative capabilities, because of our innovation. And when the challenge is in front of us, we can accomplish that. Even that said, it will take some time. Twenty years from now, 30 years from now I project that people back then will look at the way we transmit electricity through wires and say, Why did they ever use wires? They will have some other type of system to transmit electricity. They will look back at what we had today and say, Wow, what an antiquated way to provide our energy. Their furnaces will probably be the size of a drinking cup. There are lots of things that will change in the next 30 years, but it will take time.

In the meantime, conservation alone, which is very, very, very important, will not fill the gap between oil needs and oil production. What fills that gap right now is OPEC. And the less we are able to produce out of our own resources, the more we have to buy from OPEC. The more we buy from OPEC, the more we feed this problem in the Arab countries, the more we provide resources for these countries to turn around and use them against us and the more susceptible we become to their whims.

For example, yesterday, Saddam Hussein, our old pal over there in Iraq, a guy who poisons his own populations, decides on a whim we will stop, no more production for the United States and Israel, no more oil for the next 30 days or until Israel pulls out of the occupied lands, whichever comes later. You know, what we have become is dependent on madmen like this. The tail is trying to wag the dog. That is exactly what is out there.

That is why unlike people who say, look, the only way out of this energy crisis is conservation and alternative energy, the fact is there is a third element, and that is you have got to continue to produce resources until these other two completely fill, or significantly fill, that gap.

I think the easiest thing every one of us can do, every person in this Nation can do is conservation. And it is really easy to do. There is a lot of conservation that can take place without an inconvenience to your life-style. There is a lot of conservation that we can do that is of no pain, no economic pain to you. As I just said, no inconvenience to your life-style. But we have got to do it. All of us can participate in it.

□ 2115

For example, a hot summer coming up. Instead of having the air conditioning set at 68, see if you can get by with 70. Just think, across the country if we had everybody doing that, trying not to idle your car so much, if we just walked out of the room and shut the light off after we left the room, think how much electricity we could conserve.

Take a look at water, and water is a sensitive area for me. I come from the West. My district is Colorado. It is the only State in the Union where all of our free-flowing water goes out. We have no water coming in. Conservation benefits us a lot but conservation alone will not fill the cup that we need filled.

Conservation, we have got a bucket and we have got to go get so much water in that bucket to feed our cows or we have problems, and we do not have an alternative yet that is going to fill up much of the bucket. It puts a little water in the bucket. Conservation puts a little more, but the fact is we have got to drill a well. We have got to get some water out of there or we cannot feed the cows. That is as simple as it is.

So what I am urging my colleagues to do is let us accept the reality that we have to look for production. We have to continue to produce from our own resources, while at the same time urging our constituents and the citizens of this Nation to conserve, while at the same time supporting, giving incentive and encouraging alternative energy production. There are lots of exciting things out there, but we are not there yet but we will be there.

I want to tell my colleagues about an experience. I wish I would have brought it today. Oh, probably a year ago, I was on an airplane and I sat next to a young person, very bright, very capable, it seemed to me. She was about, I guess, 21 years old. I asked her what she was studying, what she wanted to do, and she said what she wanted to do was study energy and how to capture energy in ocean waves. There is energy that is produced every time that water moves. I thought that was pretty interesting.

Then pretty soon she says, look, pulling out a little piece of paper about this long, probably about, oh, an inch and a half long, and probably a half an inch wide, and at the end of it, it had two wires and on the end of the two wires, it was connected to a small light bulb. I do not know what was in the paper material, but there was some kind of material that would conduct power, electricity, and she would wave it like this and the light would come on. She said, there is so much energy in the world that we are not capturing. She said, we think that if we can do that, we can really supply lot of energy needs for our country.

I was pretty excited about it, and that is how our energy is going to be produced one of these days. But in the meantime, do not pretend that we are not relying upon oil. We have got to have those resources. And if you are going to be one of those that do not think we need to be relying on oil, who objects across the board, not to a specific area, where digging oil, for example, might be objectionable to the particular environmental conditions around that particular site, but if you are one of these people that just across the board opposes that kind of production, then you ought to not just talk the talk, you ought to walk the walk. Quit driving your car, quit riding your mountain bike that is made of different resources. I mean, everything we have is reliant on that product, our medicines.

I ride a mountain bike. That is why I used it as an example. I could not have my mountain bike if I did not have those kind of resources available. I could not have the vehicle that we need to get around on our roads in Colorado. We would not have heat, et cetera. My colleagues know the story.

Obviously it is a reasonable approach to take, but it is not a reasonable approach to say stop oil production or no more oil production or do not even bring up the debate of exploring more oil in Alaska. Or, if we do bring up the debate, let us debate solely on a motion, not on facts. Unfortunately, on the House floor, a lot of the decisions we make are driven by emotion.

Has anyone ever wondered when they look at legislation, I do not care whether it is at the State level, maybe even the city level, I have never worked at the city level, but at the State level or the Federal level, has anyone ever noticed that legislation always has a great name to it? Save the animal organization, save the planet, or save small business, et cetera? There is a reason for that, because a lot of the debate on this floor and a lot of debate in the legislative arenas throughout this country are based on emotion.

There are times that while that may be appropriate, there are times where we have an obligation as elected representatives of the people, we have an obligation to stand back and make a decision based also on facts. What are the realities that we are dealing with? If something has not brought it to our attention in the last 48 hours, when a renegade country like Iraq that is obviously producing weapons of mass destruction for use against one target, the United States of America, decides they are going to stop their oil production, maybe it ought to wake us up a little more and say we ought to be ready for this.

What if that oil embargo begins to spread throughout the Middle East? The United States must become less dependent, not more dependent, on foreign oil resources, and the only way we can do it is to continue to advance our technology to develop the resources that we have, while at the same time figuring out alternatives for the future, while at the same time encouraging our populations to conserve.

As I said earlier, we do not have to go out to our constituents and ask for a great sacrifice for them to conserve. There are a lot of things a lot of us can do in our everyday living that can help conserve energy that will not impact us at all, like turning off the light switch. I mean, even if we do not run the water the whole time we brush our teeth, put the toothpaste on the toothbrush, put a little water on there, brush our teeth, have our water off, then have the water on, the average person runs, by the time they are done brushing their teeth, if they brush their teeth for the 2-minute prescribed time to keep away from the dentist, how many gallons of water run through the sink, if one has the faucet on? Two or 3 gallons of water for someone to brush their teeth.

These are the kind of things if we just turn it off while we are brushing, brushed and then turned it back on, we would probably use less than a tenth of a gallon. Those are simple things. They did not impact us. Our teeth are not any less clean and we feel better because we have helped with a challenge that our country faces.

There are a number of obligations that as Congressmen I think we owe to the people that we represent. One of them is the future, to secure this Nation for the future, and it means not only secure the Nation in the future for energy, not only to secure the future generations for things like education and health care and a good economy and a government that does not override the ability for individual freedom, the right of private property ownership. These are all elements that are very strong that I think have to be passed to the next generation.

I also I think what must be passed to the next generation is the necessity to be strong, strong in security for our people, and a part of that is assuring that we have the natural resources to defend ourselves against blackmail by a country like Iraq, against security threats by renegades like bin Laden.

On September 11, a lot of people said what a huge hit against the United States. Obviously it was a horrible, horrible disaster for the United States of America. But take a look at the things that went right. It did not cripple the United States of America. Oh, sure it hurt us, and many, many, many families suffered horrible tragedies. Our country suffered but our country did not buckle.

Our country responded because previous people, people ahead of us that served in Congress, prepared this country over decades, prepared us in the sense that we have a strong National Guard, prepared us in the sense that we have a strong Army and Marine Corps and Air Force; that we had the capability through our intelligence services to figure out who did this grievous act to us; that we had the hospital facilities and the EMTs and the firefighters and the police officers and the local organizations and the statewide organizations and the monetary contribution

of our citizens to keep on our feet. We kept on our feet. They did not knock us off our feet. They broke a rib, but they did not knock us off our feet.

That is because the great leaders of this country have prepared this country in the same sense that we have to prepare this country for the future, and that is the capability to sustain an attack, to be able to turn around and stop the attacker in a military sense.

What is going on in the world today is tragic. What is going on in the Middle East, obviously. I mean, I wish my colleagues knew the solution. I am not sure anybody has got it figured out there yet, but the reality of it is that no matter how long we pray, I know it is very helpful, and I do it a lot, no matter how long we pray, no matter how much we hope, and touchy-feely things we do, the reality of it is the world will never know total peace, but we can go a long way towards that.

The best way we can go towards that is to negotiate from a position of strength, and that is exactly what the United States, its leadership in the past, they have placed our country in a position of strength, and that is the obligation that every one of us on this House floor has to future generations, to continue to keep this great Nation of ours in a position of strength, to allow this great Nation and its future generations to go forward from a position of strength.

From a position of strength this great Nation has helped hundreds of millions of people throughout the world. From this position of strength our Nation can help many, many other nations throughout the world. We can help escape poverty. We can help escape tyrannism. We can help escape communism. And we can go on and on, but it all starts with the core of our strength. We cannot help our neighbor if we are not strong.

We need to be strong. We are strong, but we need our commitment to stay strong. That means a strong defense. That means a strong educational system. That means a strong welcome system. It means a strong energy policy. Working together, I think we can continue the strength of this great Nation.

So I look forward to working with my colleagues in the future, but let me summarize by saying a couple of things. Number one, I think it is a mistake for my colleagues to take this microphone, as I witnessed this evening, and criticize this administration for not being diplomatically engaged, as if diplomatic engagement has not taken place in the Middle East for decades.

I am amazed that while we have a great deal of knowledge available to us, while we can have classified briefings, and many of us receive classified briefings on countries of our choice and so on and so forth, our level of knowledge and our level of expertise on the Middle East, for example, is somewhat limited. I would venture to say that the administration, Colin Powell, Condoleeza Rice, DICK CHENEY, obviously the President, have a little bit more access and a little bit more knowledge of what is going on over in the Middle East minute by minute. We simply have not been able to make ourselves available to that.

So before we criticize the persons that have the knowledge, before we are so critical from the House floor, my colleagues ought to learn a little bit more exactly what is occurring. Because while we were speaking this evening, bullets have flown over there, and it is amazing that while machine gunfire is taking place, while allegedly 10-year-old or 13-year-old suicide bombers are running in to kill one side or the other, it is a little surprising to hear one of our Congressmen or the Congress as a whole maybe, which has not happened, I guess particular colleagues of mine, to stand up here and say, well, we have not diplomatically engaged. If any of us have a better idea that is going to work, not just to get publicity back in our district, if someone has really got an idea that is going to work, if they think they have got a solution for it, advance it. Do not wait till nighttime on special orders to come down here and say, well, how easy it is to criticize you because you are not a diplomatically engaged administration, and what we ought to do, hope for peace, that is how we solve the situation in the Middle East.

We want peace. All peace-loving Americans want peace, and I am quoting directly from some of the previous comments. Well, that is a nice statement to make, but how are we going to solve the problem? What are the nuts and the bolts of the solution? When we have a crisis like the Middle East, I get a little impatient, as I would hope my colleagues get a little impatient, with one of us standing up here and constantly criticizing the administration but never coming up with a solution of their own.

□ 2130

Mr. Speaker, the easiest thing in the world is to criticize. The toughest thing in the world is to lead. I have seen a lot of criticism, but I am not sure how much leadership I am seeing. I am trying to learn everything I can about the situation in the Middle East, and I hope that the administration is doing the right thing; and I have placed my faith in this administration, as I have placed my faith in the United States. I think we are doing the right thing with what we have and what we know.

I hope that our common sense leads us to some type of solution; but I can tell Members this, it would be a cold day in Members-know-where before I would jump up and make the criticisms while the guns are firing. I think we need to be a little more supportive.

RESPONSE TO MIDDLE EAST CRISIS

The SPEAKER pro tempore (Mr. SIMMONS). Under the Speaker's announced policy of January 3, 2001, the gentleman from Florida (Mr. DEUTSCH) is recognized for 60 minutes as the designee of the minority leader.

Mr. DEUTSCH. Mr. Speaker, the topic we are going to speak about this evening is, in a sense, a response to what is going on in the Middle East today; and specifically a response in terms of being not just sensitive, but supportive of what the Israelis are trying to do regarding terrorist acts in their country.

The reason I put this chart up first is just to try to lay out a perspective of what has happened in Israel over the last several months. Israel is about 5 million people. The United States is about 300 million people. We are about 60 times larger than Israel. As all Americans know, on September 11, about 3,000 Americans died in an instant. The equivalent number in Israel would be about 50.

Last month in Israel, the Israeli people sustained the equivalent of three September 11's, in the month of March. Since this calendar year, the Israeli people have sustained the equivalent of approximately eight September 11's. I think all of us understand what the United States' response, God forbid, would be, in that type of situation. We understand what the United States' response has been in response to September 11 itself. In fact, I have been very supportive of the President, and I do not think any Member of Congress has not been supportive of the President and America's efforts to eradicate weapons of mass destruction that have a direct effect on the United States. There has been no daylight at all between any of us for those efforts.

I think the President gets it completely about the threat of international terrorism from countries like Iraq, Syria, and North Korea. But unfortunately, the President does not get it in terms of some of his response to the State of Israel, his specific responses that effectively demand that the Israelis withdraw their troops and their activities in terms of cities like Ramalah, Jenin, and Nablut.

From an American perspective, to put it in some light, which is a very appropriate analogy, the United States of America does not have to have our men and women in Afghanistan. We are in Afghanistan because we have no choice but to be in Afghanistan to literally protect ourself at a national security level. We do not want to be there. I think everyone in the world or at least everyone in America understands, we have no national interest. We have no desire, zero, and I think Americans understand that we do not want to conquer Afghanistan, to colonize Afghanistan.

At the same exact level, the Israelis have no desire to be in Ramalah, Jenin, and Nablut. And just as we are concerned about our sons and daughters,

husbands and wives who are stationed in Afghanistan today, and in fact we have sustained the ultimate sacrifice in our troops, and the Israelis are doing the same today, and again our societies are very similar. As democratic societies, this is not forced military service. It is military service that an elected democratic body had to vote to send out the reserves.

In the Israeli Knesset, an elected Prime Minister called up the reserves. An elected Prime Minister is sending people into combat, risking lives, and in fact sustaining losses. If we think again, we have seen what is happening. We read about it. And, unfortunately, there are people being killed on both sides. The Israelis are making an extraordinary effort to avoid any type of civilian casualties, and there have been some. The extraordinary effort is something that we need to be aware of. Unfortunately, Israeli defense forces, troops, their lives have been put at risk, and there is no question that additional Israelis have died because of the sensitivity of avoiding civilian casualties has occurred.

I think all of us understand what would be happening in a different situation. And America joins that category, the extraordinary efforts that we did in the campaign, and we are still doing today, in the campaign in Afghanistan to avoid collateral damage. We all know that there was some, in fact, some significant collateral damage. We killed civilians in Afghanistan, and it is a tragedy that we did, but we made extraordinary efforts to prevent it, and at risk to our men and women as well.

That is what is happening in a sense on the ground. But at the same time this is going on today, literally today, this evening, in both the United States and in Israel. The President has asked indirectly, even tried to order the Israelis out. If we think about what that message is, if we think about what had occurred, what brought the Israelis to this attempt, for their own survival, it was a series of suicide attacks that do threaten the day-to-day existence of the State of Israel.

Mr. Speaker, can we conceive of any country in the world, and if we put ourselves in that kind of situation, can we conceive of the United States of America attempting not to try to protect itself? That is exactly what is going on. From a historical perspective, there were two incidents which were watershed incidents. One was the Karine A incident, which was the ship with over $20 million of weapons that came from Iraq that Israeli commandoes commandeered.

Both the Israelis and the Americans had direct evidence of Chairman Arafat's personal involvement in the purchase and operation to bring those weapons into the Palestinian Authority area. And in fact the only plausible excuse Arafat had was he was not on the ship.

As has been reported in the press, Colin Powell called Chairman Arafat after that incident and said, ''Why did you do this? It is a clear violation of Oswald bringing in weapons that raise the level of the conflict.''

His response was, ''Why did I do what? Why did I do what?''

Colin Powell on the other end of the phone said we have direct evidence of your involvement and that evidence was then shown to Chairman Arafat, and Colin Powell calls him back and says, ''Now that you have seen the evidence, what is your response?'' Chairman Arafat's response was, ''What are you talking about?''

If we think for a second what that means, who are we dealing with? Who are the Israelis dealing with? But more importantly, who are the Israelis dealing with. I would ask everyone to think about that type of response. How could any of us ever have any type of relationship, whether a business relationship or a personal relationship, with someone who literally, absolutely, totally lies? How can one have a relationship to try to do anything? What is that person's word worth?

The second incident that occurred 10 weeks ago was a sniper attack on an Israeli checkpoint where six Israeli soldiers were killed. There was no attempt by anyone on the Palestinian side to prevent that type of attack. These sniper rifles can shoot several miles, an analogy of the distance from this building to the White House. Literally from a line of sight, someone could shoot with a sniper rifle from the top of this building, the Capitol, to the White House.

Once that attack occurred and there was no attempt to stop it, and many people are aware of the geography of the State of Israel, effectively Prime Minister Sharon made a decision that the Israelis had to protect themselves. Not until that occurred did the Israelis enter any refugee camp. At that point the decision was made to effectively go door to door or wall through wall, house to house to confiscate every weapon, every suicide belt bomb, every rocket; and literally hundreds and thousands have been confiscated and have been taken. That is in fact a continuation. It is not by choice.

I am joined today by a number of my colleagues. On the other side of the aisle, a Member who has been a leader in terms of things happening in the Middle East and is as concerned as anyone in the Congress, the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for his leadership on this issue. I apologize for being late. I have a number of comments that I want to make initially.

Mr. Speaker, Rudy Giuliani said after September 11 that he felt like Winston Churchill felt when London was under attack. Today the folks all over Israel, not just in any particular city or pocket, must have that same feeling. They have now suffered over 18 months of terrorist attacks that have killed over 400 of their citizens, injured thousands, and distressed millions.

The gentleman from Florida (Mr. DEUTSCH) knows that a couple of years ago I had an opportunity to go to Israel, and one of the things at the time was Mr. Barak told us that the people there are tired of suffering and they are tired of seeing their children being killed.

As a father of four, it is hard for me to say good-bye to my children on a Friday or Saturday night when they leave the house at 7:30 at night, and I am worried about them driving on the road with accidents. I cannot imagine what an Israeli parent or counterpart feels when saying good-bye to their children who are going to go to a discotec or some other public place, and can just imagine living in a country where so many people have died in such a short period of time.

Since the September 11 attacks, the American people have understood the terrorist menace. Israel has been living under this for nearly 50 years off and on. As the leadership of Israel has often said, we are living in a dangerous neighborhood, and it is getting more and more dangerous every single day.

One of the questions that seems to become popular and seems to be in vogue is should Israel be able to retaliate. If America can retaliate, why can Israel not retaliate? I think that is certainly the central question right now. The United States of America is rightfully pursuing its own national interests. We are not just in Central Asia, but looking very closely at the situation in Iraq and any other country, the axis of evil, and trying to figure out what rogue governments are harboring terrorism.

Just as we in America are doing that, surely it is in Israel's national interest to do everything that they can to neutralize the Palestinian terrorism. I do not believe that Washington can justify our actions and condemn their actions.

□ 2145

I believe that Israel is moving in the interest of their own national security, as a nation should be. In many respects, their war is our war. Their enemies are our enemies. Aside from Great Britain, Israel is our greatest ally in the U.N. Year after year, conflict after conflict, Israel has stood by America. You cannot make that statement about any other country except for Great Britain.

I think that in terms of some of the issues that we are dealing with, I am very pleased that Colin Powell is over there. I hope he is successful in his mission. I hope he can calm the waters. But I do not think Sharon should back down until the Palestinians guarantee a cease-fire and some sort of a way to assure them that Arafat can, if he still has control, neutralize his followers. I do not know that he has that anymore. When Colin Powell testified before our Foreign Operations Committee about a month or 5 weeks ago, I asked, are we ready to move into the post-Arafat era

of the Middle East? At that time people said, ''It's probably too early to talk about that.'' I think there is fear, well, could it get worse if Arafat is gone? No one knows the answer to that, but we know under the current course it is getting worse and worse. So I do not think we should be afraid to talk about a post-Arafat era at all.

Mr. DEUTSCH. Mr. Speaker, I yield to the gentleman from New York (Mr. CROWLEY) who has worked from the first day he was in the United States Congress to try to bring peace to the Middle East.

Mr. CROWLEY. I thank my colleague from Florida for calling this special order this evening. I would start off by saying that the initial numbers that you had on your chart were staggering. I think more of that information needs to be told to the American people. I think they need to understand exactly what the size of the state of Israel is and the type of pressure that they have been under for the past 18 months. I think more of the news agencies need to focus not only on single events but on the multiple events that have taken place over the last 18 months. If they could show not just one incident but how over the last few weeks there have been multiple incidents throughout Israel, I think people would begin to get a better understanding exactly what type of threat the Israeli people are really facing.

I regret the fact that there is a need for me to even be on the floor this evening to address this important issue, but the events of the last 18 months require a response. Last summer, Chairman Arafat, Prime Minister Barak, and President Clinton were ever so close to reaching an accord to bring peace to the Middle East after decades of violence. Unfortunately, all the progress and the sacrifices made on the part of the Palestinians and Israelis in Madrid, in Oslo, Camp David, and Wye were shattered the moment the first stone was hurled into the air in September of 2000. Since then, the atmosphere on the ground has degenerated, resulting in the death of hundreds of people on all sides of the conflict.

As Palestinian suicide bombers attack innocent Israeli civilians and the IDF responds by eliminating the sources of that Palestinian terror, both sides look to the United States to deliver a solution. Although I believe that it is in our national interest to resolve this conflict, I am increasingly concerned by the destructive role our regional allies have been playing in the current climate. The official Egyptian press cultivates anti-Israeli sentiment through skewed disclosures of the facts and spin campaigns that do nothing to improve the status quo.

Jordan, who has played such a key role in past years, has thought it best to remain on the sidelines. I would suggest that the Palestinians view the Jordanian silence as a tacit approval for the continuation of this campaign of terror.

The activities of Saudi Arabia are perhaps the most troubling of all. One should note that there are two countries that provide compensation to the families of Palestinian suicide bombers: Saudi Arabia and Iraq. One is considered a friend and the other a foe. If this is the case, why are both behaving in the same despicable manner? These nations are crucial to a resolution to this conflict and must assume a profile commensurate with their standing and influence in this region.

I am encouraged by Secretary Powell's visit to the region, but he cannot secure peace on his own. A lasting peace can only be secured in a regional context in which all parties contribute to a cessation of hostilities on the ground. Until that occurs, I fully support the steps that Prime Minister Sharon is taking to ensure the safety of his people, the Israeli people. If President Bush had not acted decisively against those who perpetrated the acts and attack of terror on New York and on the United States on September 11, the people of this country would be calling for his resignation. Now this administration is being critical of Sharon for taking similar action in his own country. The hypocrisy, in my opinion, is staggering.

This is not a question of being either pro-Israeli or pro-Palestinian. It is a question of being against terrorism, no matter where it is found and no matter who may be the victims. While the violence rages on, there are children that hope to go back to school and people that hope to go back to work and hope to do that in an environment free of terrorism. It is essential that we take the necessary action to turn all those hopes into reality.

As a New Yorker, as someone who has experienced firsthand a family member who was lost on September 11, my first cousin, I feel personally drawn into what is happening in the Middle East. I have had many, many discussions with people throughout my district. I am heartened to hear, and I am not just talking about those who have had longstanding sympathies with the people of Israel, but those who in my opinion have had questionable support in the past for the people of Israel, are now I think fully behind the Israeli Government and fully understand exactly what they are going through.

We lost 3,000 people in one attack. When we looked at the numbers that the gentleman from Florida (Mr. DEUTSCH) had put up before, they have lost, I believe, is it six times that figure?

Mr. DEUTSCH. It would be more than that. Six or seven times.

Mr. CROWLEY. Six or seven times. It is staggering. I think we in New York have nothing but sympathy for what the people in Israel are going through, and we believe only the people of Israel can make the decisions about their own safety and the personal safety of their families. That is why I stand here today in support of your discussion this evening.

Mr. DEUTSCH. Mr. Speaker, I yield to the gentleman from Virginia (Mr. CANTOR) who is an outstanding new Member that again, from the day he arrived, has thrust himself and been involved in foreign policy issues, particularly in the Middle East, and has worked as hard as any Member to try to gain peace in the region.

Mr. CANTOR. Mr. Speaker, I thank my colleague from Florida for yielding and I appreciate his willingness to share time in this debate and for his work on behalf of the U.S.-Israel relationship and also would like to recognize my colleague from Georgia and his leadership on this issue as well.

Mr. Speaker, I rise today on a very solemn occasion. Today is Yom Hashoah, the Day of Remembrance. This is the day that we recognize and remember those 6-million-plus individuals, innocent men, women and children who lost their lives in the unspeakable horror of the Holocaust, an evil associated with that era the likes of which the world had never seen.

But, Mr. Speaker, we are here tonight once again, this evil has reared its ugly head. On 9–11, as my colleague from New York just indicated, this evil and the individuals behind the terrorist attack stopped at nothing to kill innocent men, women and children on the streets of New York, in the World Trade Center, and here in the Washington area at the Pentagon. Mr. Speaker, it is that same evil, that same hatred that is perpetrating the violence and committing the terrorist attacks in Israel throughout that tiny country.

I applaud President Bush and his administration for drawing the appropriate moral structure and guidelines that we must follow as this country now engages in the fight for our freedom abroad.

As we know, President Bush has outlined this as a case of good against evil. Very simply, it is time for the nations of the world to choose, to choose whether they are with us and the civilized world or whether they are with the terrorists. Just last week, President Bush addressed the Nation from the White House and said yes, it is time for the nations of the Middle East to make that choice as well.

I applaud President Bush in his statements that the situation that Yasser Arafat finds himself in and the situation the Palestinian people are in are due to his own making. He has failed to do everything he can. He has failed to renounce terror as a tool to achieve his political gains. I think that the President ought to be applauded for making that bold step in the face of very harsh criticism that he is experiencing from all corners of the world.

Mr. KINGSTON. If the gentleman will yield, I want to really underscore that point, that over a year ago, at Camp David, when President Clinton had Arafat and Barak in, Arafat turned down the deal that he is now pretending to be behind, or at least the

Saudi prince's proposal, give up land and we will recognize you. And there is absolutely no assurance that once the Palestinians have the land, that they will turn around and recognize the state of Israel. The gentleman makes a great point, and I really wanted to underscore that.

Mr. CANTOR. I thank the gentleman for that. And as my colleague from Florida stated earlier, there have been a series of opportunities for Mr. Arafat to rise to the occasion and to demonstrate his commitment to peace. But instead, we face now calls from all corners of the world for the United States to engage in the process, to somehow produce a peace. In my mind, that means to pressure Israel. But the United States and the Bush administration has been engaged in the process. It has been engaged in the process by standing up for the principled position laid out by the President that there is good and there is evil, there are terrorists and there are those lawabiding citizens. And this country will not tolerate, negotiate, or support terrorist activity. And how can we, when we see Yasser Arafat and his counterparts in Israel going in, targeting women and children, innocent individuals for death? Going into family occasions like bar mitzvahs and weddings and an individual strapping explosives to themselves, blowing themselves up and killing these family members at such sacred times in their lives?

And we also see the sponsorship of the Palestinian Authority and other Arab regimes sponsoring and giving money to the so-called martyrs' families, providing an incentive for young men, and now we see women, to blow themselves up and in the process kill tens, if not more, of innocent Israelis at a time. And now we see that Israel has gained the momentum, has demonstrated that it has the resolve, both the spiritual resolve and the material resources to do what it must do, just as the United States has demonstrated that we will do what we must do in light of the al Qaeda attacks on 9–11 against the Taliban and al Qaeda forces in Afghanistan.

Israel is manning a counteraction to the terrorist attacks that has been inflicted upon its innocent citizens, and it must be allowed to root out the terrorists, because that is the only way that we will achieve peace is to get rid of the terrorists.

Mr. Speaker, I would posit that the equation is very clear. We ought not be insisting or pressuring Israel when it is doing what we do, and, that is, defending its innocent citizens. We must instead demand that the Arab leaders of this world step up to the plate, renounce terrorism, and contribute what they must toward the peace in the Middle East.

The bottom line, Mr. Speaker: First, we must have the cessation of terror, and then talk. First, the recognition, both in deed and in word, of Israel's right to exist, then diplomacy.

□ 2200

Mr. DEUTSCH. Mr. Speaker, I yield to the gentleman from New York (Mr. WEINER), who also is active and has traveled in this region many times and is personally involved with many of the leaders in the region as well.

Mr. WEINER. I want to thank the gentleman from Florida for organizing this special order, the gentleman from Georgia for his great leadership, and the previous speaker, and I want to pick up on something that the gentleman from Virginia mentioned.

Some have spoken about the necessity that there be a process towards peace, and I do not think there is anyone who disagrees with that. But we also have to recognize that the process in and of itself is not an end; it is to be a means to peaceful coexistence.

If you look at the history of the Jewish State, there have really been two things going on simultaneously. One has been her Arab neighbors and the Palestinians trying to wipe her from the globe; while, at the same time, time after time after time, efforts at peace have been embraced by Israel, only to have her pay the price in human lives.

You can really look at it in two ways. Since 1993, there has kind of been the three yards and a cloud-of-dust strategy towards peace in the Oslo Accords; concession, concession, concession given by Israel, with the hope that it will be led into, by recognition by the Palestinians, ultimately peace for her citizens.

When that did not work, when that broke down, Israel went for what was essentially the ''Hail Mary'' pass at Camp David, and gave the Palestinians, offered virtually everything; 90 percent of the territories that are now in contention, a divided Jerusalem, even concessions to try to work out questions of the refugees.

And how is that met with? It was met with by a string of violence that goes on to this day. Seventy-three separate terrorist attacks have gone on, taking the equivalent, as the gentleman from Florida (Mr. DEUTSCH) mentioned, of 20,000 lives, if they were here in the United States.

Some have asked, why does Israel go into house by house searches of a town like Ramallah? Of those 73 attacks, 40 of them came from people who lived in Ramallah. How do we know that with such certitude? Because it is no secret. They leave a videotape saying why they did it, and quickly they are given money. They are given a bounty by the Palestinian Authority for the great thing they have done. They have given up their young life for the cause of taking away the lives of Israelis.

We have to recognize, and this is an unsettling thing for anyone to say, but certainly for us in a peace-loving democracy, sometimes the only way to stop someone from killing you is to go get them and stop them by force. We did not want to have to send people to go cave by cave in Afghanistan seeking out the terrorists, but that was the only option that we were faced with. It was not a subject that, if we could have negotiated, we would not have done it. Frankly, that is the position that Israel is in today.

Some have paid a great deal of attention and given a great deal of credibility to the plan proposed by the Saudi prince that in exchange for Israel withdrawing to its 1967 borders, the Arab nations would offer normal relations, although Libya has said they do not want to go along and Iran said they do not want to go along and Iraq said they do not want to go along.

But nowhere in this discussion has anyone really thought through, well, why is it that Israel's borders are not what they were in 1967? Is it because she is acquisitive? Is it because she is colonialistic? Is it because she is expansionist?

Her borders are different than they were in 1967, because on two separate occasions she was attacked by her neighbors, who do not even believe she has a right to exist. And to a large degree, she has already made concessions to Egypt and Jordan. She has shown more than a willingness to give up land if it meant true peace.

That is true, Mr. Speaker, today. You look at poll after poll of the Israeli people, even after the horrific events of the past month. You put down on paper a proposal that gets true peace for Israel to live with her neighbors, she would accept it. She would give up land, gladly do it.

But sometimes there is no deterrent to violence. The only way to stop violence is to confront it directly. That is the unfortunate and untenable position that Israel is in. Let me just say, if there was ever a practice, if there was ever an example of the Bush doctrine, it is tonight in Nablus. It is tonight in Ramallah. It is tonight in the West Bank.

When President Bush unified our country and arguably unified the world around the principle that terrorism needs to be stopped, he said very clearly, it is not a matter for negotiations. He says it may take a while, and he says we will not rest until every terrorist is rooted out, pulled out by its roots, and, if necessary, killed in battle. That is what is going on tonight. That is what 18-, 19- and 20-year-old Israelis are giving their lives for tonight.

And what is going on on the other side? Today on Palestinian television there were commercials running during the cartoon hour telling young children, put down your toys, take up your arms. That is the message that the Palestinians are sending to their side.

What we are saying here tonight is that Israel is in an untenable position. She chooses not violence; she never has. She chooses not to settle these matters by force; she never has. She chooses instead to defend her people, and we should stand four-square with her in her desire to do that.

I yield back to the gentleman from Florida, with my great thanks.

Mr. DEUTSCH. I would like to yield to the gentleman from New Jersey, Mr. ROTHMAN, who is viewed by his colleagues as an expert in this area and has been very influential.

Mr. KINGSTON. If the gentleman will yield, before the gentleman from New York Mr. WEINER leaves, I wanted to make a point that as long ago as July 15, 2001, the Jerusalem Post reported that there were four summer camps currently training 8- to 12-year-olds for suicide bombings going on. That is exactly what you are saying, just calling the kids to arms right now against Israel. Summer camps training 8- to 12-year-olds for suicide bombing visions.

Mr. WEINER. If the gentleman will yield further briefly, also one has to wonder why it is when there are these stages of violence put on by the Palestinians, why there are always children at the front lines? It is because, simply put, children are being used as the stones of war. In a very cynical campaign to persuade us that children are being put in harm's way, they are. They are being put in harm's way by mothers and fathers who are being told by their leaders that is the pathway to peace.

Mr. ROTHMAN. Mr. Speaker, I thank the gentleman for allowing me to participate in this presentation tonight. Particularly I would like to thank my colleague, the gentleman from Georgia (Mr. KINGSTON), for his leadership on this issue over a number of years, and as well my colleague, the gentleman from Florida (Mr. DEUTSCH), for his leadership, in making sure that America's number one ally in the Middle East, our number one strategic ally, Israel, is safeguarded.

But you know, my friends, I think it is time for a little history, and in 5 minutes I would like to give a little history lesson. I think it is important to know what the facts are.

A lot of people think that the State of Israel is somehow a stranger to the Middle East, is brand new, a brand new country in the Middle East, amidst, people think, Arab countries in particular that have been there for centuries. Nothing could be farther from the truth.

Let us take a look at the map. First of all, you see the map of the Middle East, a rather large area. As you can tell, this tiny little speck here, this sliver of land, that is the State of Israel. Here is Egypt, Syria, Lebanon; Iraq is here, Iran is here, Saudi Arabia is here, Oman here, Yemen here, Kuwait is here. Look at this entire huge land mass, and look at tiny little Israel. That is number one.

Number two, when did these Arab States come into existence? Have they been around for centuries? Let us take them one at a time. Iran, established in 1935; Iraq, established in 1932; Syria, 1946; Lebanon, 1943; Egypt, 1952; Saudi Arabia, 1932; Jordan, 1946; and Israel, about the same time, 1948. So virtually all of these states, including the State of Israel, established at about the same time, in the middle of the 20th century.

Well, where is Palestine? Well, there never was a country called Palestine, ever. Never. Never a country, never a kingdom, never a country called Palestine. Never rulers who called themselves the rulers of the Palestinian people, never in the history of the world.

But what happened in the middle of the 20th century when all of these states were established by the United Nations or recognized by the United Nations, what happened to the Palestinians? I will tell you what happened.

In 1947, the year before the United Nations recognized Israel, this was the map that was proposed for what is now Israel. In 1947 the U.N. proposed two states, an Arab Palestinian state, marked here in the gray, with contiguous outline all the way from the top to the bottom of what is now Israel. Jerusalem was not then to be the capital of Israel. Jerusalem, according to the 1947 U.N. two-state plan, was to be an international city. The areas in yellow were to be the State of Israel, alongside this Palestinian state offered in 1947 by the U.N.

What did the Palestinians do when they were presented this offer of their own state in 1947? They rejected it totally. They rejected it totally. They said we do not want to live next to a Jewish state. We want the entire entity, all of this, or none. So the U.N. said, you know, England, who owned this land after World War I, after they got that land as part of the spoils from the Ottoman Empire when the Ottoman Empire, Turkey, was defeated in World War I, they were allies of Germany, England got the land. The United Nations said okay, if the Palestinians do not want to live and share this land with the Jewish state as neighbors, in 1948 the United Nations declared this whole area the State of Israel, recognized by the United Nations in 1948.

What happened in 1948? All of the armies of the Arab nations surrounding invaded Israel in 1948. They said, we will drive the Jews into the sea, fellow Palestinians, and then you can have that one state. You will not have to live next door to the Jews, the Jewish state. Something miraculous happened. The Jewish State of Israel survived, even though they were out numbered more than 30 to 1, the Jewish State of Israel survived in 1948.

What did the Palestinians do who fled? They went to refugee camps. What did their Arab brothers and sisters do when they fled Israel? They kept them in refugee camps all over the Middle East, their Arab brothers and sisters. What else did they do? 1956, they attacked Israel again and they lost. Israel survived. 1967, they all surrounded Israel again, attacked Israel again, said we will drive the Jews into the sea, destroy Israel. The Jews survived again in 1967. The same in 1973. The Yom Kippur War when they attacked Israel again, Israel survived.

Just as recently as 2 years ago, as was mentioned by my colleagues, when President Clinton brought Prime Minister Barak from Israel to Camp David along with Yasser Arafat, Israel offered some 97 percent of the land that the Palestinians wanted to the Palestinians; said you can have your own state, Palestinians, you can even have a portion of Jerusalem as your capital. You can have your own state and live in peace with us.

What did Yasser Arafat do when presented that 97 percent of what he wanted? By the way, the first time in history that a losing power or losing entity, the Palestinians, who had lost every war when they tried to drive Israel into the sea, was offered 97 percent of what it had originally been offered. What did Arafat do 2 years ago when offered 97 percent? Did he come back and bring a counteroffer? He left the negotiating table and started the suicide bombings 2 years ago, figuring, as he has for the last 50 years, we will terrorize the Israelis, force them to give up strategic sites, more than 100 percent, and then eventually we will take those sites and we will drive them entirely out of the region. That is what Arafat has been doing.

Now, people always ask me, Steve, what possibly could be the conditions for peace? I tell them three things. There are three conditions for peace between the Arabs and the Israelis.

Number one, every nation in the world, especially the Arab nations and the Palestinian people, must recognize that the United States of America will never abandon its 50-year-old friend, the State of Israel. Not just because Israel is America's most important strategic partner in the entire Middle East. Israel, the only dependable, the only democracy in that sea of dictatorships and totalitarians; Israel, America's forward battleship of military intelligence and co-development of missile defense systems.

□ 2215

Israel, on the front lines of democracy in a world of terror. But America does not give up its friends when confronted by terrorism or threats or blackmail. So that America will never abandon Israel is the first condition, and the world has got to know that.

Number two, America has to convince the world, and the world has got to understand, just as the United Nations in 1948 and the United States and the Soviet Union and all the countries of the world agreed, this shall be a Jewish State, the State of Israel, surrounded by states ruled by other religions, but this shall be a Jewish state. So today Israel will be and shall always be a Jewish state, albeit tiny, almost infinitesimal in the Middle East.

Finally, the third condition of the United States never abandoning Israel, Israel always being regarded as a Jewish state, but the third element, to paraphrase former Israeli Prime Minister

Golda Meir, the Palestinians have to accept responsibility for their own statelessness. The Palestinians have to love their children and love the idea that they can have their own country more than the Palestinians hate the thought of living next to a Jewish state in an otherwise Arabian Middle East.

Once those three conditions are met, the parties can go to the negotiating table. The Israelis have already over the years, with whoever has agreed to sit down with them, generally, for peace, Israel makes trades, land for peace. They did it with Egypt in wars of defense. Israel conquered the Sinai when Egypt kept attacking year after year. In exchange for peace, Israel gave up the Sinai, all of it, back to Egypt. The same with Jordan. They made peace with Jordan and established mutually agreed-upon borders. And they have made other concessions as well. Even in Lebanon when they had to invade Lebanon because they were being rocketed by Lebanon, they withdrew to internationally accepted borders in Lebanon.

So is Israel prepared to make concessions, land for peace, even with armies and peoples who despise them and try to drive them into the sea and put their children to death for 50 years? They are ready to make that decision. But what is missing? What is missing is a Palestinian leadership that is ready to live in peace next to a Jewish state, the only Jewish state in the world, the one established by the U.N. in 1948, the State of Israel. If the Palestinian leadership continues to demand that Israel be obliterated, even though it was established in 1948 at the same time as all of these other countries, the middle of the 20th century. Israel is no stranger to statehood. When we compare to it Syria, Iraq, Iran, Saudi Arabia, Egypt and Jordan, they all came about the same time. When the Palestinians elect a leadership ready to make peace with Israel, Israel will make that peace.

But finally, what do we ask of the Israelis now, when Yasar Arafat encourages in Arabic and in English his people to be martyrs, to blow themselves up in restaurants and religious observances? We say, do what America will do and is doing now. Fight for your lives. Fight for your children. Do not care what the world has to say. You defend yourself, protect your people. People say to get the Israelis to withdraw now before they finish rooting out terrorists from the areas controlled by the Palestinian Authority, that would be like someone saying to us in America, leave Afghanistan right now. After all, you have substantially done much of what you wanted to do. Leave it now. And also, America, by the way, even though there are al Qaeda terrorist cells in 60 countries around the world, terrorist cells plotting to overthrow the United States or cause additional terrorist attacks on innocent American civilians, they say, America, leave those 60 countries. Do not pursue these terrorists. You have already made too many waves. What would we Americans say to that? Tell them to go jump in a lake, or perhaps in stronger language, we would tell them, we are going to get these people who killed our innocent men, women, and children.

By the way, these people do not ask us for anything, just like the Palestinians do not want to negotiate. They want the end of Israel, this present Palestinian leadership. Al Qaeda does not want to negotiate with America; they want to destroy America. When the Palestinian people understand that America will never bend on Israel, that Israel will always be a Jewish state, and that they are ready to live in peace next to the Jewish State of Israel, albeit in a sea of Arab nations, then the Palestinian people will get what all of Israel's neighbors have gotten: peace with Israel. Until then, America must stand up for Israel, its number one ally in the Middle East.

If we look at the U.N.'s voting record, of all of the nations in the Middle East, Israel is at the very top supporting the United States of America. If we were to abandon Israel now or tell Israel not to finish rooting out the terrorists, it would be as if we were saying, it is possible for terrorists and suicide bombers to blackmail people of goodwill, people who live in democracies. It is possible for them to stop us from defending ourselves and our own families. We will not do that as Americans. We would not let anyone do it to us, so we shall not and will not let anyone do it to our number one ally in the Middle East, the State of Israel, the region's only democracy, our best friend in the region for 50 years, our strategic military and cultural partner for 50 years, this tiny little courageous democracy, the State of Israel.

Mr. DEUTSCH. Mr. Speaker, I thank the gentleman from New Jersey.

We have had a great deal of discussion about Chairman Arafat specifically and the interest to try to resolve the conflict. One of the things which has been pointed out by several of my colleagues is the Camp David agreement, where literally, Israel put on the table an offer which was far beyond any of the so-called red lines that Israel had ever talked about before, giving up the vast sections of Jerusalem, an independent state, giving up 98 percent of the area in the West Bank and Gaza and, in fact, equalizing the area, the other 2 percent, far beyond, actually the Temple Mount itself, the holiest place to Jews in the entire world. Literally, an offer on the table that was far beyond anything that any Israeli leader had ever talked about; in fact, something which, for those who follow Israeli politics understand could never have been approved by the Israeli Knesset. And Prime Minister Barak had actually said this and was ready to bring that proposal to the Israeli people, effectively a plebiscite, and it was unclear whether it would have passed, but it probably would have passed. When that offer was made and even enhanced at the Taba discussions, it was rejected by Chairman Arafat and the Palestinians.

In any negotiation, and I ask people to think about their own lives and their own interactions with people, in any negotiation, if someone made what you know is your bottom, bottom, bottom line, you know that you cannot possibly, under any circumstances go further, and the person on the other side of the table rejects that, can you actually believe that there is any possibility for an agreement with that person?

When Prime Minister Sharon has talked about this war as a war of Israel's survival and Israel's war of independence, I think there are some real points that lead to that; and that has also been a theme for most, in fact probably all, of the speakers at some level this evening, that there is still to this day not an acceptance by Chairman Arafat and by many Palestinians of Israel's, literally, their right to exist.

Mr. ROTHMAN. Mr. Speaker, will the gentleman yield for a minute?

Mr. DEUTSCH. I am happy to yield.

Mr. ROTHMAN. There are some of my dear friends and people I have never met who have asked me, Steve, how long is this going to take? It is so disturbing to see people being killed, the cameras recording warfare. And I say this: America fought the Soviet Union for decades. We had thousands of nuclear missiles pointed at us for decades. We did not give up. We should not give up on our war against al Qaeda until we are certain that we have them on the run, until we are protected. We should not give up on Israel. We should allow Israel to take the time Israel needs to make its people safe. Because do we know what will happen? Once the world understands that America will not give up Israel, that Israel will always be around as a Jewish state, and that it is the Palestinian people's own interest to live in peace and freedom next to Israel, then we can give the Palestinian people what we want for all people: peace and a good life. But they must have leaders who will say in English and in Arabic to themselves and the world, we are ready to live next to the Jewish State of Israel in peace. When that happens, as history has pointed out, they will sit at the negotiating table directly with Israel, and they will get a peace that they can live with, that Israel can live with, and we will have a new era. But until they are ready to have that kind of Palestinian leadership, Israel must do everything it needs to do to keep its people safe, as we expect our government to keep us safe from al Qaeda.

Mr. DEUTSCH. Let me again mention a follow-up to that point directly. The modern State of Israel, as the gentleman pointed out on his chart, is 54 years old, and there are still many in

the Palestinian community who again do not accept Israel's right literally to exist, want Israel to be destroyed, and for many in the Palestinian community, Israel is viewed no differently than the crusaders who took 150 years for the crusaders to leave. It is only a third of the way to that time frame.

But I think for those of us who understand the history of the State of Israel, it is not crusaders. I think part of what is going on now, and we can see it ourselves on TV or read about it, is that the Jews that are there are not leaving. This is a permanent home. This is not a temporary home. This is not a way station for the Jewish people; this is a permanent residence. I think when the Palestinians understand that, and I think that they will understand it, maybe they will not understand it this week or this month or maybe even this year or maybe even this decade, but when they understand that, the peace that the gentleman talked about that was on the table at Camp David will be an accepted peace.

Mr. ROTHMAN. Mr. Speaker, if I could make one final comment, I know the gentleman from Georgia wanted to make additional comments as well. What the American people should be doing and the American Government is saying to the Palestinian people and all of the other Arab nations is the following: get a new leadership in the Palestinian Authority who will be ready to accept living in their own state next to the Jewish State of Israel. When the Arab world forces that upon the Palestinian leadership, then we can have what we want for the Jews and the Palestinians together, to live together in peace. Until then, it breaks my heart that the Palestinians are suffering at the hands of their own misguided leaders who, even after 54 years, will not accept the existence of the State of Israel.

Mr. DEUTSCH. Mr. Speaker, I would like to yield the last moments of my time and, hopefully, he will be able to claim some of his own time, to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, let me yield to the gentleman from New York (Mr. WEINER), because I know he wanted to make a comment.

Mr. WEINER. Mr. Speaker, I thank the gentleman for yielding. I just wanted to comment on the points made by my colleagues about the expanse of time. We frequently get into the misguided notion that everything has to run on a 24-hour news cycle, that sometimes we see something unsettling and we think instantly it is going to change.

□ 2230

I would remind my colleagues and remind those viewing at home that the first several weeks of the campaign against terror, against al-Qaeda in Afghanistan, we were all commenting, oh, my goodness, this does not seem to be working, this does not seem to be working; the terrorists seem to be surviving. Then suddenly, almost overnight, there was a collapse of the terrorist infrastructure that has made us today a much safer country.

The same strategy is being pursued, although it was not their first choice, by the Israeli government. I think we make a mistake when we say, well, as unsettling as this is, it has to end tomorrow or the next day. It may take a while.

It is estimated that for every suicide bombing, it takes 40 individuals to make that bombing happen. There is the person that puts the bomb together, that figures out the lock, that locates the person who is going to do it, that makes the harness that goes around.

Destroying that infrastructure may take a little while. But the only way to do it is not to look at what is going to be on tomorrow's television, but to think about how we do it in the context of a military operation against a very difficult foe to catch.

When we watch those images, and they are unsettling, there is nobody in Israel, I can say almost to a person, who thinks this is a desirable way to go, but it is the only way to catch them where they are. I thank the gentleman for yielding to me.

Mr. ROTHMAN. To build on that last point, by the way, it is important to remember that while we were at war, the Cold War, but nonetheless a very dangerous war with the Soviet Union for 50 years, we are now friends with Russia. We had a terrible world war against the Germans and Japanese, terrible losses of life, lasting years. Now we are best friends. We had a revolution against the British and now we are best friends.

There is no reason, once this effort to rout out terrorists concludes, that the Israelis and Palestinians cannot be friends.

REQUIREMENTS FOR PEACE WITH ISRAEL

The SPEAKER pro tempore (Mr. FLAKE). Under the Speaker's announced policy of January 3, 2001, the gentleman from Georgia (Mr. KINGSTON) is recognized for 60 minutes.

Mr. KINGSTON. Mr. Speaker, I yield to my friend, the gentleman from New Jersey (Mr. ROTHMAN), to let him finish his comments.

Mr. ROTHMAN. Mr. Speaker, I thank my dear friend, the gentleman from Georgia, for yielding.

All is not lost. We should not lose hope. As heartbreaking as it is to see these terrible images on our television, and we wonder what is going to happen, some things take time. But we have to do them right.

Sometimes our friends are put in very dangerous, difficult positions. We do not abandon our friends. To have a friend, as my dad used to say, you must be a friend. If we step away from our friend, Israel, after a friendship of an unparalleled kind for 50 years, what does that say about us? What does that say when we go looking to the world for our friends to help us?

We cannot abandon Israel. Stand with Israel. Let Israel carry the day and rout out these terrorists. Let us get a just peace between the Israelis and Palestinians.

If the Palestinians ever put together a leadership, because the other Arab nations force them, or they on their own demand it of their own leaders, if they put together a leadership that is committed to living in peace next to the Jewish state of Israel in their own state of Palestine, then but only then will the Palestinians have what they want, which is their own state.

It is up to the Palestinians, and it is up to their Arab brothers and sisters to make them realize that they cannot continue to reject the offer of peace and statehood that Israel and the world has been making to them since 1947.

Mr. DEUTSCH. If the gentleman would yield, I think one of the interesting things also, as we enter a dialogue stage this evening, it is important to note that the gentleman's comments were so much on point regarding the leadership of the Palestinians.

I think there has been a misplaced emphasis in many ways by this administration on calling Chairman Arafat the leader of the Palestinians. Let us be very specific. I think most Americans need to really understand this, that Chairman Arafat was elected, but what he did was he refused to have a reelection. His term of office ended in 2000.

All of us who are elected officials, we stand for election every 2 years, and in the Senate every 6 years, and the President every 4 years. I was an election observer. Some of us have participated in international election observation teams. I was an election observer this past year in Belarus, where the president of the country reelected himself. We do not recognize their government. Yet, our government says that Chairman Arafat is the chosen leader, when he chose not to have an election.

Mr. ROTHMAN. If I may, as far as I am concerned, the Palestinians need to take responsibility for choosing their own leaders. If they choose to call Yasser Arafat their leader, so be it. But that does not change what we as Americans must do.

We must say to the Palestinians, they have to put forth a leadership that announces in English and Arabic and to the world that they are ready to live in peace next to the Jewish state of Israel, something the Palestinians regrettably have refused to do, believing that they would intimidate, terrorize, or in other ways use the leverage of middle eastern oil to force America or Europe to make Israel weak enough so that they could finally, after 5 attempts to destroy Israel in five wars, they could finally destroy Israel.

What they are learning now is that Israel will not be defeated militarily or

morally, since they have the legal right recognized by the U.N., and were established at the same time as all those other nations in the middle of the 20th century, and that they, the Palestinians, are the only ones. They must look in the mirror if they are looking for the culprit as to who has deprived them of statehood.

The Palestinians were offered statehood in 1947 by the U.N. They rejected it. They were offered it again in 1967, after they invaded Israel, along with all the other Arab armies. They rejected it. In the year 2000 at Camp David, they rejected a proposal for 97 percent of what they wanted, even though they were the defeated entity. They did not even come back with a counter offer.

It is time for the Palestinians to say to themselves, do you know what, it has been 55 years since 1947, since we turned down a Palestinian state because we did not want to live next to a Jewish state of Israel. We hoped this Jewish state, as tiny as it is in the huge Middle East, that the Jewish state would no longer exist.

They made a big mistake. It is time to give their children, their own Palestinian people, the blessings of a state and liberty next to the Jewish state of Israel.

Mr. DEUTSCH. If the gentleman could yield, I have a blow-up of a letter which has been in the press, and unfortunately, I think it is something which has not gotten enough press attention at this point. I think it is a very significant letter. It is a letter that was found in the Ramallah headquarters by Israeli defense forces troops. It is there, it is real. There is other information that I will present, as well, but it is disturbing, to say the least, in terms of the whole concept of interacting with Chairman Arafat as a leader in terms of his direct personal involvement in terrorism.

I started this evening talking about his direct, personal involvement with the Karine-A incident, which was a direct violation of Oslo, sending weapons to the Palestinian Authority, which was documented, which the Americans completely understand.

I think that is what is probably most troubling to the President of the United States, because I do not believe that he wants to deal with this gentleman at all, because he understands who he is.

If I can just read some of the specifics, this is a letter to Chairman Arafat from assan al Ashid, who is a senior Fatah activist in the West bank, specifically asking for sums of $2,500 for the following brethren: three gentlemen who are specifically terrorists, they are known terrorists. And in Arafat's personal handwriting, with his signature, he says, ''I will allocate $600 to each of them'' on September 19 of 2001. I do not think we need anymore proof.

Mr. KINGSTON. I would like to see the gentleman's other chart, as well, because he has actually broken down Arafat's connection to terrorism in a particular region or city, has he not?

Mr. DEUTSCH. This is really the question on what has occurred, and the Israelis and the Americans, Israel wants a peace partner. Israel wants to have peace. Israel offered what we have discussed previously. They have negotiated with Chairman Arafat.

But I think what has occurred in the present time is not that Arafat might or might not be, is trying or is not trying, but I think the facts are there: Arafat has direct personal involvement in terrorism. He is a terrorist.

The President got a little squeamish when the press asked him, is he a terrorist. He refused to answer. Not only does he have blood on his hands yesterday, he has blood on his hands today. That is the person that the United States is requesting and demanding that Israel negotiate with, at the same time saying that we refuse to negotiate with terrorists.

Mr. KINGSTON. Further than that, if we do not call Arafat a terrorist, could we say that the PLO harbors terrorism? And certainly I think we would say yes to that, as well.

Mr. DEUTSCH. And let me go through the chart, which I think is interesting.

Chairman Arafat is part of the Fatah organization. Actually, I believe the gentleman has a chart, as well, which is very interesting and relevant to this. The Fatah organization is an organization that, in a particular region, many of us have heard of the city, the occupied and the non-occupied Tulkarm. It is a city with a leadership structure in Fatah, an organizational structure. There was a gentleman, Marwan Barghouti, Nasser Awis, Ra'ed Karmi, whose name was one of the names on the previous list as getting direct payment.

Mr. KINGSTON. These men, they all lead directly to Arafat?

Mr. DEUTSCH. They have said if Chairman Arafat requests, they will no longer engage in terrorist activities. Again, what the gentleman's chart points out is this organization, Fatah, which is directly tied to Arafat, in which the people themselves have said they report to Arafat, they have publicly stated if Arafat says to stop violence, they will stop violence.

The chart there is very illuminating, the gentleman's chart, which points out that in September to December of last year there were nine terrorist incidents and 66 Israelis were killed, the equivalent of more than one 9/11 for the state of Israel, that Fatah itself, Arafat's organization, claimed responsibility for nine incidents.

In January to April, when 99 Israelis were killed, several 9/11s, 67 were claimed by Fatah. Sixty-eight percent of this is suicide bombers were directly claimed by an organizational structure that reports to Arafat, that the members of that structure report to Arafat, and yet Arafat says he has no relationship with that structure. It is not credible. It is not believable are. It is not the truth.

Mr. ROTHMAN. If I can offer my agreement, Yasser Arafat is a terrorist. He is no Boy Scout. But that does not mean that he cannot make peace and be a partner in peace if he chooses. The problem is, so far, since 1948, since Israel was recognized by the United Nations, America, all the major nations of the world as an independent state and an independent country, since the Palestinians rejected their own state offered by the U.N. in 1947, Arafat has never said, never, we are prepared to live in peace next to the state of Israel, the Jewish state; never once.

The interesting point would be, what if Arafat said that in English and Arabic? What if all the other leaders of the Arab world were to say, you know, that is all that Israel has been asking for for the last 55 years of its existence, notwithstanding the fact that we in the Arab world have tried to drive these Jews into the sea for the last 55 years, without success. All the Israelis have ever said they want is to live in peace with their Arab neighbors. All they want from their Arab neighbors is a pledge to live in peace with them.

When Egypt made that offer, there is now a peace between Egypt and Israel, and Lebanon and Israel, and Jordan and Israel, albeit there are still some radical terrorists in Lebanon, fomented by Syria to try to stir things up.

But what we really need to do is to put the pressure on the Arab world, our friends, the Saudis, who we have done so much for, saved their necks countless times so they could charge us whatever they wanted at the oil pumps, but nevertheless, we did it, we saved their necks, say to the Saudis, tell Arafat his dreams of driving the Jews into the sea are over. If he wants to help the Palestinian people, tell him to live in peace with Israel, the Jewish state, and they will have negotiations and they will have a Palestinian state.

Why do not the leaders of Saudi Arabia, Egypt, Jordan, Syria, Lebanon, and all the Arab countries, make that demand to Arafat if they really are concerned about the Palestinian people? And I say to my friends, the Palestinian people, rise up and overthrow Arafat.

□ 2245

Get yourself leaders who will make peace for your children's sake.

Mr. DEUTSCH. Mr. Speaker, if the gentleman would yield on a specific point which he brought up again which is very much relevant to what is going on.

The gentleman mentioned Lebanon. For the last several days every day there have been artillery attacks from Lebanon to northern Israel. When Colin Powell and the President are calling for a cease fire, that is a cease fire they should be calling for. That is a border that has been peaceful, and there is absolutely no reason at all for

artillery to be shot at. We have mentioned this and many of us who have spoken this evening have talked about the analogy to the United States. Could you imagine how we would respond if there was artillery fire over the Canadian border or the Mexican border? There was a point in time when that happened many years ago, and we invaded both Canada and Mexico.

Mr. KINGSTON. Mr. Speaker, if the gentleman would yield, I wanted to pull out the gentleman from New Jersey's (Mr. ROTHMAN) map again, because we cannot emphasize this enough. Here is little Israel surrounded by Saudi Arabia, Yemen, Iran, Iraq, Afghanistan on the other side of it, Syria, Lebanon, Egypt, Somalia, Eritrea. It is not exactly the kind of neighborhood that is very pristine and peaceful and stable to begin with. Israel would not go out aggressively and start a conflict, as the gentleman pointed out, and I want to do it again. Statehood for these countries: Syria, 1946; Iraq, 1932; Iran, 1935; Saudi Arabia, 1932; Jordan, 1946; Lebanon, 1943; Egypt, 1952. To say Israel is the interloper because of 1948 is absurd, particularly given the fact that this is such a sliver of land here.

Mr. ROTHMAN. My colleague makes such a wonderful point. The Israelis are outnumbered 39 to one, some extraordinary number like 325 million Arabs and close to 6 million Israelis, most of them Jews, some Christians, some Israeli Arabs, outnumbered 39 to one. There is no oil in tiny little Israel. None. Tiny little Israel in a sea of other nations. Why do they focus so much attention on Israel? Why do they not just give their own people in Saudi Arabia, it is a monarchy, a kingdom, why do they not give their people democracy?

How about in Iraq? We know they are a dictatorship under Saddam Hussein. Why does he not give his people democracy and freedom? In Iran they have the mullahs, the religious council who are dictators themselves. Even over an elected Iranian president, the religious council overrules the elected officials. Why do they not give their people freedom?

The same as Syria with a totalitarian regime. Syria, who by the way has 45,000 Syrian troops in Lebanon. They are occupying Lebanon, Syria is. But why does the world focus attention on the tiny little only democracy in the entire Middle East, Israel?

Well, you know that saying when you have trouble at home you try to distract the locals by creating a bogeyman somewhere else. Rather than have the people living in these oppressive totalitarian countries fight against their totalitarian dictatorial rulers, they say all of your problems are caused by the tiny little Jewish state all these miles away who we outnumber 39 to one. It would be laughable if it were not such a horrible terrible tragedy.

America needs to talk to the Arab world and tell them, if you think the lynch pin to peace in the Middle East is settling the Israeli-Palestinian conflict, then tell the Palestinians to accept statehood, the statehood that has been offered to them for 55 years, or at least to sit down at the negotiating table after having said, yes, we are prepared to live in peace next to the Jewish State of Israel. Then the Arab world can get the peace it says it needs before they then can free their own people. Of course, that is ridiculous.

These Arab dictatorships, monarchies, totalitarian regimes throughout the Middle East they can free their people right now, but they will not. They would rather distract them with the Israeli-Palestinian conflict. If there needs to be pressure, it needs to be put on the Arab regimes to force the Palestinians to give their own people a state by agreeing to live next to Israel.

Mr. KINGSTON. I thank the gentleman. I want to yield to the gentleman from Florida (Mr. DEUTSCH) for closing remarks and also I am ready to close.

I think that in my final words that we need to stand with our ally, Israel. We need to understand that they have the right to defend themselves, and we need to have that message heard in the Middle East that we believe that Israel does have this right and is acting accordingly.

Mr. DEUTSCH. Mr. Speaker, I thank the gentleman for yielding to me.

I think by definition every day we wake up we live in historical times. In this Chamber where we speak, it is the oldest. We are as America the oldest democracy literally in the history of the world. Many people do not know, but the law givers of the world, the law givers of the world watch us in this Chamber. In fact, the greatest law giver in the history of the world is the gentleman in the center of the Chamber, Moses.

We are part of history as we speak here tonight and as we take action as Americans, as a Congress and our ally, Israel, takes action this evening. And I think the purpose of different Members from throughout the country getting together this evening to speak about this issue is to talk about our concern. That as much as we hope and we pray and we work towards Colin Powell's efforts for a cease fire, which again we were completely united in and support for, at that same time we urge Colin Powell and particularly, obviously, the President who Colin Powell works for, that the President understand that we are listening to him. We are supportive of him in the efforts against terrorism. But to stop Israel, to attempt to stop Israel from rooting out terrorism is sending a wrong message to terrorists.

It is saying that terrorism succeeds, that terrorist actions will get the United States to do things against its allies; that you can bomb us; you can suicide bomb us; you can sniper attack bomb us; you can kill our children, our women at sacred events in the most inhumane conceivable things and force us to do things. And that is not the message that I believe President Bush has sent to the world nor can we send to the world.

We need to be supportive of Israel and its efforts to eliminate terrorism as they were of us, as the rest of the world was of us, as all Americans are with us. And I urge the President to continue in those efforts in the coming days.

Mr. KINGSTON. Mr. Speaker, I thank the gentlemen for their leadership on this issue.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of business in the district.

Mr. RYAN of Wisconsin (at the request of Mr. ARMEY) for today and the balance of the week on account of the death of his stepfather.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DOGGETT) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. WELDON of Florida) to revise and extend their remarks and include extraneous material:)

Mr. RAMSTAD, for 5 minutes, today.

Mr. WELDON of Florida, for 5 minutes, today.

Mr. PAUL, for 5 minutes, April 10.

Mr. GEKAS, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, April 10.

Mr. FOLEY, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1222. An act to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the ''Frank Sinatra Post Office Building'', to the Committee on Government Reform.

S. 1499. An act to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes to the Committee on Small Business.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of

the House of the following titles, which were thereupon signed by Mr. WOLF of Virginia, Speaker pro tempore:

On March 25, 2002:

H.R. 2356. An act to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

H.R. 3985. An act to amend the Act entitled ''An act to authorize the leasing of restricted Indian lands for public, religious educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for binding arbitration clauses in leases and contracts related to reservation lands of the Gila River Indian Community.

H.R. 3986. An act to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001.

On March 28, 2002:

H.R. 1432. An act to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the ''Major Lyn McIntosh Post Office Building''.

H.R. 1748. An act to designate the facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, as the ''Tom Bliley Post Office Building''.

H.R. 1749. An act to designate the facility of the United States Postal Service located at 685 Turnberry Road in Newport News, Virginia, as the ''Herbert H. Bateman Post Office Building''.

H.R. 2577. An act to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the ''Bob David Post Office Building''.

H.R. 2876. An act to designate the facility of the United States Postal Service located in Harlem, Montana, as the ''Francis Bardanouve United States Post Office Building''.

H.R. 2910. An act to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building''.

H.R. 3072. An act to designate the facility of the United States Postal Service located at 125 Main Street in Forest City, North Carolina, as the ''Vernon Tarlton Post Office Building''.

H.R. 3379. An act to designate the facility of the United States Postal Service located at 375 Carlls Path in Deer Park, New York, as the ''Raymond M. Downey Post Office Building''.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on March 25, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 1499. To amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically black colleges and universities nationwide to participate in the tuition assistance programs under such Act, and for other purposes.

H.R. 2739. To amend Public Law 107–10 to authorize a United States plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly in May 2002 in Geneva, Switzerland, and for other purposes.

H.R. 3985. To amend the Act entitled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955 to provide for binding arbitration clauses in leases and contracts related to reservation lands of the Gila River Indian Community.

H.R. 3986. To extend the period availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001.

Jeff Trandahl, Clerk of the House reports that on March 26, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 2356. To amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 10, 2002, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6019. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Regulations Governing the California Prune/ Plum (Tree Removal) Diversion Program [Docket No. FV01–81–01 FR] (RIN: 0581–AC03) received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6020. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Grapes Grown in a Designated Area of Southeastern California; Increased Assessment Rate [Docket No. FV02–925–1 FR] received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6021. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Onions Grown in South Texas; Increased Assessment Rate [Docket No. FV02–959–1 FR] received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6022. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Melons Grown in South Texas; Increased Assessment Rate [Docket No. FV02–979–1 FR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6023. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Nectarines and Peaches Grown in California; Revision of Reporting Requirements for Fresh Nectarines and Peaches [Docket No. FV01–916–3 FIR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6024. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Kiwifruit Grown in California; Relaxation of Pack Requirements [Docket No. FV02–920–1 FIR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6025. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Hazelnuts Grown in Oregon and Washington; Establishment of Interim Final and Final Free and Restricted Percentages for the 2001–2002 Marketing Year [Docket No. FV02–982–1 IFR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6026. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Reduction in Production Cap for 2002 Diversion Program [Docket No. FV02–989–2 IFR] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6027. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Beef Promotion and Research; Reapportionment [Docket No. LS–01–05] received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6028. A letter from the Regulatory Contact, Department of Agriculture, transmitting the Department's final rule—Fees for Official Inspection and Official Weighing Services [Docket No. FGIS–2001–003a] (RIN: 0580–AA79) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6029. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Hazelnuts Grown in Oregon and Washington; Establishment of Interim and Final Free and Restricted Percentages for the 2000–2001 Marketing Year [Docket No. FV01–982–1 FIR] received March 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6030. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Decreased Assessment Rate [Docket No. FV01–905–3 FIR] received March 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6031. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Tomatoes Grown in Florida; Decreased Assessment Rate [Docket No. FV01–966–2 FIR] received March 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6032. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule—Rules of Practice [AMS–02–001] received March 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6033. A communication from the President of the United States, transmitting requests to make available previously appropriated contingent emergency funds for the Department of Agriculture and a request to transfer previously appropriated funds from the Emergency Response Fund to the General Services Administration, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and in accordance with provisions of Public Law 107–38; (H. Doc. No. 107–194); to the Committee on Appropriations and ordered to be printed.

6034. A communication from the President of the United States, transmitting requests for emergency FY 2002 emergency supplemental appropriations, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985; (H. Doc. No. 107–195); to the Committee on Appropriations and ordered to be printed.

6035. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding Section 361 of the National Defense Authorization Act for Fiscal Year 1997 which authorized the Military Services to expend appropriated funds for recruiting functions, pursuant to Public Law 104–201, section 361(a) (110 Stat. 2491); to the Committee on Armed Services.

6036. A letter from the Under Secretary of Defense, Department of Defense, transmitting the Selected Acquisition Reports (SARS) for the quarter ending December 2001, pursuant to 10 U.S.C. 2432; to the Committee on Armed Services.

6037. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Risk-Based Capital Standards: Claims on Securities Firms [Regulations H and Y; Docket No. R–1085] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6038. A letter from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Delinquent Filer Voluntary Compliance Program (RIN: 1210–AA86) received April 3, 2002; to the Committee on Education and the Workforce.

6039. A letter from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Adoption of Voluntary Fiduciary Correction Program (RIN: 1210–AA76) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6040. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units [FRL–7163–7] (RIN: 2060–AF28) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6041. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production [FRL–7163–3] (RIN: 2060–AH89) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6042. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry [FRL–7168–1] (RIN: 2060–AE78) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6043. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision (RIN: 3150–AG97) received March 27, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6044. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Operator License Eligibility and Use of Simulation Facilities in Operator Licensing (RIN: 3150–AG40) received March 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6045. A letter from the Governor and Secretary of State, Office of the Governor, Carson City, Nevada, transmitting a Notice of Disapproval of the site designation of Yucca Mountain in Nevada as the nation's high level nuclear waste repository; to the Committee on Energy and Commerce.

6046. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(c); (H. Doc. No. 107–192); to the Committee on International Relations and ordered to be printed.

6047. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for $1 million or more; the listing of all Letters of Offer that were accepted, as of December 31, 2001, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

6048. A communication from the President of the United States, transmitting a report, consistent with the War Powers Resolution and Public Law 107–40, to help ensure that the Congress is kept informed on the status of United States efforts in the global war on terrorism; (H. Doc. No. 107–193); to the Committee on International Relations and ordered to be printed.

6049. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—License Exception CIV Eligibility for Certain ''Microprocessors'' Controlled by ECCN 3A001 [Docket No. 020308050–2050–01] (RIN: 0694–AC59) received March 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6050. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions and Clarifications to the Export Administration Regulations: Czech Republic, Hungary and Poland [Docket No. 020215031–2031–01] (RIN: 0694–AC53) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6051. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the redesignation as ''foreign terrorist organizations'' pursuant to Section 219 of the Immigration and Nationality Act , as added by the Antiterrorism and Effective Death Penalty Act of 1996, and amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on International Relations.

6052. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–312, ''Sidewalk and Curbing Assessment Amendment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6053. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–320, ''Mandarin Oriental Hotel Project Tax Deferral Temporary Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6054. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–319, ''Education and Examination Exemption for Respiratory Care Practitioners Temporary Amendment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6055. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–318, ''Interim Disability Assistance Temporary Amendment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6056. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–317, ''Emergency Management Assistance Compact Temporary Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6057. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–316, ''Tax Increment Financing Temporary Amendment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6058. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–315, ''Rehabilitation Services Program Establishment Temporary Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6059. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–313, ''Department of Transportation Establishment Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6060. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–311, ''Misdemeanor Jury Trial Act of 2002'' received April 8, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6061. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–321, ''Tax Increment Financing Amendment Act of 2002'' received April 9, 2002, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6062. A letter from the Under Secretary, Research, Education, and Economics, Department of Agriculture, transmitting the Department's final rule—Availability of Information—received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6063. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6064. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6065. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Pay for Administrative Appeals Judge Positions (RIN: 3206–AJ44) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6066. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Reasonable Accommodation Requirements in Vacancy Announcements (RIN: 3206–AJ11) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6067. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Cost-of-Living Allowances (Nonforeign Areas); Commissary/Exchange Rates; Survey Frequency; Gradual Reductions (RIN: 3206–AJ40) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6068. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting the Family Court Transition Plan; to the Committee on Government Reform.

6069. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and

Plants: Listing the Desert Yellowhead as Threatened (RIN: 1018–AI35) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6070. A letter from the Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity to Submit Proposals for the Coral Reef Ecosystem Studies (CRES–2002) [Docket No. 001102309–2028–02; I.D. 010802D] received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6071. A letter from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Act Provisions; Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfish Fishery Management Measures [Docket No. 011231309–1309–01; I.D. 121301B] (RIN: 0648–AO69) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6072. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone off Alaska; Atka Mackerel Platoons in Areas 542 and 543 [Docket No. 011218304–1304–01; I.D. 011702B] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6073. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands [Docket No. 011218304–1304–01; I.D. 011702] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6074. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended: International Organizations—received March 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6075. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Premerger Notification; Reporting and Waiting Period Requirements—received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6076. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule—Exemption Amendments Under 18 U.S.C. 208(b)(2) (RIN: 3209–AA09) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6077. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Ohio River Mile 119.0 to 119. 8, Natrium, West Virginia [COTP Pittsburgh-02–001] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6078. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI [COTP Honolulu 01–005] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6079. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Norwalk River, CT [CGD01–02–017] received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6080. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Harlem River, NY [CGD01–02–007] (RIN: 2115–AE47) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6081. A letter from the Chief, Regulations and Administrative Law, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Saugatuck River, CT [CGD01–02–010] received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6082. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hampton River, NH [CGD01–02–019] received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6083. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Missouri River, Mile Marker 532.9 to 532.5, Brownville, Nebraska [COTP St. Louis-02–002] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6084. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Missouri River, Mile Marker 646.0 to 645.6, Fort Calhoun, Nebraska [COTP St. Louis-02–001] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6085. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Port of Tampa, Tampa Florida [COTP TAMPA 01–097] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6086. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Port of Charleston, South Carolina [COTP Charleston-01–145] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6087. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Ohio River Mile 34.6 to 35.1, Shippingport, Pennsylvania [COTP Pittsburgh-02–002] (RIN: 2115–AA97) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6088. A letter from the Deputy Chief Counsel, Department of Transportation, transmitting the Department's final rule—Eligibility of U.S.-Flag Vessels of 100 Feet or Greater in Registered Length to Obtain a Fishery Endorsement to the Vessel's Documentation [Docket No. MARAD–2001–10518] (RIN: 2133–AB45) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6089. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Motor Carrier Identification Report [Docket No. FMCSA–00–8209] (RIN: 2126–AA57) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6090. A letter from the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Seaway Regulations and Rules: Ballest Water [Docket No. SLSDC 2002–11358] (RIN: 2135–AA13) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6091. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY [CGD01–02–012] (RIN: 2115–AE47) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6092. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY [CGD01–02–011] (RIN: 2115–AE47) received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6093. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hackensack River NJ [CGD01–02–018] received March 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6094. A letter from the Chief, Regulations and Administrative Law, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Taunton River, Ma [CGD01–02–035] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6095. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Operation Native Atlas 2002, Waters adjacent to Camp Pendleton, California [COTP San Diego 02–004] (RIN: 2115–AA97) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6096. A letter from the Chief, Regulations and Administrative Law, Department of Transportation, transmitting the Department's final rule—Security Zone; Corpus Christi Inner Harbor, Corpus Christi, Texas [COTP Corpus Christi 02–001] (RIN: 2115–AA97) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6097. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Long Beach, CA [COTP Los Angeles-Long Beach 02–003] (RIN: 2115–AA97) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6098. A letter from the Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule—Procedures for Abatement of Highway Traffic Noise and Construction Noise [FHWA Docket No. FHWA–2000–8056] (RIN: 2125–AE80) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6099. A letter from the Deputy Assistant Chief Counsel for Safety, FRA, Department

of Transportation, transmitting the Department's final rule—Locomotive Cab Sanitation Standards [Docket No. FRA 2000–8545, Notice No. 3] (RIN: 2130–AA89) received April 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6100. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hackensack River, NJ [CGD01–02–030] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6101. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; St. Mary's River, St. Mary's City, MD [CGD05–02–003] (RIN: 2115–AE46) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6102. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Ouzinkie Harbor, Ouzinkie, AK [COTP Western Alaska 02–003] (RIN: 2115–AA97) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6103. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Revision of Regulations and Application Form for Mexico-Domiciled Motor Carriers To Operate in United States Municipalities and Commercial Zones on the United States-Mexico Border [Docket No. FMCSA–98–3297] (RIN: 2126–AA33) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6104. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule—Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices [FRA Docket No. PB–9; Notice No. 21] (RIN: 2130–AB52) received April 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6105. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule—Application by Certain Mexico-Domiciled Motor Carriers To Operate Beyond United States Municipalities and Commercial Zones on the United States-Mexico Border [Docket No. FMCSA–98–3298] (RIN: 2126–AA34) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6106. A letter from the Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule—Truck Length and Width Exclusive Devices [FHWA Docket No. 1997–2234 (formerly 87–5 and 89–12)] (RIN: 2125–AC30) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6107. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Notice of Availability of Grants for Development of Coastal Recreation Water Monitoring and Public Notification under the Beaches Environmental Assessment and Coastal Health Act [OW-FRL–7161–5] received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6108. A letter from the Acting Director, Office of Regulatory Law, Department of Veterans' Affairs, transmitting the Department's final rule—Information Collection Needed in VA's Flight-Training Programs (RIN: 2900–AJ23) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6109. A letter from the Secretary, Department of the Treasury, transmitting notification of the Secretary's determination that by reason of the public debt limit, the Secretary will be unable to fully comply with the requirements of section 8438(e) of title 5, United States Code, beginning on April 4, 2002 and ending on April 18, 2002, pursuant to 5 U.S.C. 8438(h)(2); to the Committee on Ways and Means.

6110. A letter from the Board of Trustees, Federal Old-Age And Survivors Insurance And Disability Insurance Trust Funds, transmitting the 2002 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 107–196); to the Committee on Ways and Means and ordered to be printed.

6111. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Payment of Duties on Certain Steel Products [T.D. 02–12] (RIN: 1515–AD07) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6112. A letter from the Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—Drawback; Conforming Amendments (RIN: 1515–AD00) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6113. A letter from the Acting Chief, Regulations Branch, Department of the Treasury, transmitting the Department's final rule—North American Free Trade Agreement (RIN: 1515–AD08) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6114. A letter from the Chief, Regulation Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update—received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6115. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Determining Income Under the Supplemental Security Income Program; Student Child Earned Income Exclusion (RIN: 0960–AF60) received March 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6116. A letter from the Board Of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2002 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 107–197); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

6117. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Federal Health Care Programs: Fraud and Abuse; Revisions and Technical Corrections (RIN: 0991–AB09) received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

6118. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Modifications to Managed Care Rules Based on Payment Provisions of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000, and Technical Corrections [CMS–1181–F] (RIN: 0938–AK90) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

6119. A letter from the Secretary, Department of Health and Human Services, transmitting a study performed on the appropriateness of establishing minimum staffing ratios in nursing homes, as required by the Omnibus Budget Reconciliation Act of 1990; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on March 20, 2002 the following report was filed on April 4, 2002]

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 3762. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide additional protections to participants and beneficiaries in individual account plans from excessive investment in employer securities and to promote the provision of retirement investment advice to workers managing their retirement income assets, and to amend the Securities Exchange Act of 1934 to prohibit insider trades during any suspension of the ability of plan participants or beneficaries to direct investment away from equity securities of the plan sponsor; with an amendment (Rept. 107–383, Pt. 1). Ordered to be printed.

[Filed on April 9, 2002]

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3925. A bill to establish an exchange program between the Federal Government and the private sector in order to promote the development of expertise in information technology management, and for other purposes; with amendments (Rept. 107–379 Pt. 2).

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3297. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that chaplains killed in the line of duty receive public safety officer death benefits; with an amendment (Rept. 107–384). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3848. A bill to provide funds for the construction of recreational and visitor facilities in Washington County, Utah, and for other purposes (Rept. 107–385). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3958. A bill to provide a mechanism for the settlement of claims of the State of Utah regarding portions of the Bear River Migratory Bird Refuge located on the shore of the Great Salt Lake, Utah; with an amendment (Rept. 1207–386). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2937. A bill to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range; with an amendment (Rept. 107–387). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3480. A bill to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River

Basin (Rept. 107–388). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3853. A bill to make technical corrections to laws passed by the 106th Congress related to parks and public lands, and for other purposes; with an amendment (Rept. 107–389). Referred to the Committee of the whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2109. A bill to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach, Florida, for possible inclusion in the National Park System; with amendments (Rept. 107–390). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3425. A bill to direct the Secretary of the Interior to study the suitability and feasibility of establishing Highway 49 in California, known as the ''Golden Chain Highway'', as a National Heritage Corridor; with an amendment (Rept. 107–391). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3909. A bill to designate certain Federal lands in the State of Utah as the Gunn McKay Nature Preserve, and for other purposes (Rept. 107–392). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 380. Resolution providing for consideration of the bill (H.R. 3925) to establish an exchange program between the Federal Government and the private sector in order to promote the development of expertise in information technology management, and for other purposes (Rept. 107–393). Referred to the House Calendar.

Mr. THOMAS: Committee on Ways and Means. H.R. 3991. A bill to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service; with an amendment (Rept. 107–394). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

[The following action occurred on March 29, 2002]

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 556 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Armed Services discharged from further consideration. H.R. 2481 referred to the Committee of the Whole House on the State of the Union.

[The following action occurred April 9, 2002]

Pursuant to clause 2 of rule XII the Committee on Education and the Workforce discharged from further consideration. H.R. 3669 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committees on Ways and Means and Financial Services discharged from further consideration. H.R. 3762 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on Ways and Means discharged from further consideration. H.R. 3925 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on April 4, 2002]

H.R. 3762. Referred to the Committees on Ways and Means and Financial Services extended for a period ending not later than April 9, 2002.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LAFALCE (for himself, Mr. FRANK, Mr. KANJORSKI, Mr. SANDERS, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Mr. CLAY, Mr. DINGELL, Ms. DELAURO, and Mr. GEORGE MILLER of California):

H.R. 4083. A bill to provide for enhanced corporate responsibility under the securities laws; to the Committee on Financial Services.

By Ms. RIVERS:

H.R. 4084. A bill to amend the Securities Exchange Act of 1934 to prohibit certain employees and shareholders from obtaining special loans, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. SIMPSON, and Mr. REYES):

H.R. 4085. A bill to increase, effective as of December 1, 2002, the rates of disablity compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WILSON of South Carolina:

H.R. 4086. A bill to amend the Public Health Service Act to authorize grants to carry out programs to improve recovery rates for organs in eligible hospitals; to the Committee on Energy and Commerce.

By Mr. MANZULLO (for himself, Ms. VELAZQUEZ, Mr. PORTMAN, Mr. PENCE, Mr. TERRY, Mr. BARTLETT of Maryland, Mr. COMBEST, Mrs. CHRISTENSEN, and Mr. ACEVEDO-VILA):

H.R. 4087. A bill to amend the Internal Revenue Code of 1986 to provide for an increase in expensing under section 179; to the Committee on Ways and Means.

By Mr. SKELTON (for himself and Mrs. TAUSCHER):

H.R. 4088. A bill to authorize the appropriation of the $10,000,000,000 reserve fund within the national defense budget function for activities to prosecute the war on terrorism; to the Committee on Armed Services.

By Ms. SOLIS (for herself, Ms. LEE, Ms. BROWN of Florida, Mr. CONYERS, Ms. MCCOLLUM, Ms. WATSON, Mr. FROST, Ms. KILPATRICK, Ms. BALDWIN, Ms. CARSON of Indiana, Mr. UNDERWOOD, Mrs. CAPPS, Mr. PALLONE, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. GONZALEZ, Mr. PASTOR, Ms. SCHAKOWSKY, Mr. STARK, Mrs. MINK of Hawaii, Mrs. NAPOLITANO, Ms. MILLENDER-MCDONALD, Ms. DELAURO, Mrs. MEEK of Florida, Mr. BACA, Mr. LANTOS, Mr. SANDERS, Mr. CUMMINGS, Mr. HONDA, Mr. KUCINICH, Mr. SERRANO, Ms. WOOLSEY, and Mr. FARR of California):

H.R. 4089. A bill to provide grants for public information campaigns to educate racial and ethnic minorities about domestic violence; to the Committee on the Judiciary.

By Mr. HERGER (for himself, Mr. SHAW, Mr. WATKINS, Mr. MCCRERY, Mr. ENGLISH, Mr. LEWIS of Kentucky, Ms. DUNN, Mr. PORTMAN, Mr. BRADY of Texas, Mr. CAMP, Mr. MCINNIS, and Mrs. JOHNSON of Connecticut):

H.R. 4090. A bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Ways and Means.

By Ms. SOLIS (for herself, Ms. LEE, Ms. BROWN of Florida, Mr. LANTOS, Mrs. JONES of Ohio, Mr. CONYERS, Ms. WATSON, Mr. FROST, Ms. KILPATRICK, Ms. CARSON of Indiana, Mr. UNDERWOOD, Mrs. CAPPS, Mr. PALLONE, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. GONZALEZ, Mr. PASTOR, Ms. SCHAKOWSKY, Mr. STARK, Mrs. MINK of Hawaii, Mrs. NAPOLITANO, Ms. MILLENDER-MCDONALD, Ms. DELAURO, Mrs. MEEK of Florida, Mr. BACA, Mr. SANDERS, Mr. CUMMINGS, Mr. HONDA, Mr. KUCINICH, Mr. SERRANO, and Ms. WOOLSEY):

H.R. 4091. A bill to authorize the establishment of domestic violence court systems from amounts available for grants to combat violence against women; to the Committee on the Judiciary.

By Mr. MCKEON (for himself, Mr. BOEHNER, Mr. PETRI, Mr. HOEKSTRA, Mr. GREENWOOD, Mr. UPTON, Mr. TANCREDO, Mr. DEMINT, Mr. ISAKSON, Mr. KELLER, and Mr. CULBERSON):

H.R. 4092. A bill to enhance the opportunities of needy families to achieve self-sufficiency and access quality child care, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACEVEDO-VILA:

H.R. 4093. A bill to amend title 10, United States Code, to repeal limitations on the eligibility of dependents of civilian employees of the Federal Government residing in a territory, commonwealth, or possession of the United States to enroll in Department of Defense domestic dependent elementary and secondary schools; to the Committee on Armed Services.

By Mr. CARDIN:

H.R. 4094. A bill to reduce temporarily the duty on cis, trans-3-(2-chloro-3,3,3 triflouro-1-propenyl)-2,2-dimethyl-cyclopropane carboxylic acid; to the Committee on Ways and Means.

By Mr. CARDIN:

H.R. 4095. A bill to suspend temporarily the duty on 2-chlorobenzyl chloride; to the Committee on Ways and Means.

By Mr. CARDIN:

H.R. 4096. A bill to suspend temporarily the duty on (S)-Alpha-hydroxy-3-phenoxybenzeneacetonitrile; to the Committee on Ways and Means.

By Mr. CARDIN:

H.R. 4097. A bill to suspend temporarily the duty on 4-Pentenoic acid, 3,3-dimethyl-, methyl ester; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. FRANK, Mr. BERMAN, Ms. JACKSON-LEE of Texas, Ms. WATERS, Mr. GEPHARDT, Mr. LAFALCE, Mr. ENGEL, Mr. DINGELL, Mr. JACKSON of Illinois,

Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. SANDERS, Ms. SOLIS, Mrs. CLAYTON, Ms. BROWN of Florida, Mr. LYNCH, Mr. HOEFFEL, Mr. GUTIERREZ, and Ms. SCHAKOWSKY):

H.R. 4098. A bill to provide for criminal prosecution of persons who alter or destroy evidence in certain Federal investigations or defraud investors of publicly traded securities, to disallow debts incurred in violation of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers, and for other purposes; to the Committee on the Judiciary.

By Mr. CRANE (for himself, Mr. JEFFERSON, and Mr. LEWIS of Kentucky):

H.R. 4099. A bill to amend the Internal Revenue Code of 1986 to clarify the status of employee leasing organizations and to promote and protect the interests of employee leasing organizations, their customers, and workers; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself, Mr. GORDON, Mr. FROST, Ms. LEE, Mr. HINCHEY, Mr. LANGEVIN, Mrs. JONES of Ohio, and Ms. NORTON):

H.R. 4100. A bill to establish the National Vaccine Authority within the Department of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. CROWLEY (for himself, Mr. WEXLER, Mr. GEORGE MILLER of California, Mr. ENGEL, Mr. MORAN of Virginia, Mr. CAPUANO, Mr. MCGOVERN, Mrs. MCCARTHY of New York, Mr. BLAGOJEVICH, Mr. CLAY, and Ms. WOOLSEY):

H.R. 4101. A bill to amend title 18, United States Code, to require firearms, ammunition, and explosives purchases to be made in person and to require records to be kept of the means by which the purchases are made; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 4102. A bill to designate the facility of the United States Postal Service located at 120 North Maine Street in Fallon, Nevada, as the ''Rollan D. Melton Post Office Building''; to the Committee on Government Reform.

By Mr. HANSEN (for himself, Mr. MATHESON, Mr. CANNON, Mr. FALEOMAVAEGA, Mr. DOOLITTLE, Mr. HERGER, and Mr. FLAKE):

H.R. 4103. A bill to direct the Secretary of the Interior to transfer certain public lands in Natrona County, Wyoming, to the Corporation of the Presiding Bishop, and for other purposes; to the Committee on Resources.

By Mr. HILL (for himself, Mr. MATSUI, Mr. RANGEL, Mr. LEVIN, Mr. STENHOLM, Mrs. TAUSCHER, Mr. TANNER, Mr. BENTSEN, Mr. DOOLEY of California, and Mr. JEFFERSON):

H.R. 4104. A bill to provide for the creation of private-sector-led Community Workforce Partnerships, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. JOHNSON of Connecticut:

H.R. 4105. A bill to suspend until December 31, 2005, the duty on Terrazole; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 4106. A bill to suspend until December 31, 2005, the duty on 2-Mercaptoethanol; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 4107. A bill to suspend until December 31, 2005, the duty on Bifenazate; to the Committee on Ways and Means.

By Mr. KOLBE (for himself and Mr. FLAKE):

H.R. 4108. A bill to amend the Immigration and Nationality Act to improve the administrative structure for carrying out the immigration laws; to the Committee on the Judiciary.

By Mr. LANGEVIN:

H.R. 4109. A bill to provide for the reliquidation of certain entries; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 4110. A bill to extend the temporary suspension of duty on an ultraviolet dye; to the Committee on Ways and Means.

By Mr. MCINNIS:

H.R. 4111. A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail; to the Committee on Resources.

By Mr. MCINNIS:

H.R. 4112. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries to health care in rural areas; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself, Mr. GREENWOOD, Ms. SLAUGHTER, and Ms. DEGETTE):

H.R. 4113. A bill to provide for the provision by hospitals of emergency contraceptives to women who are survivors of sexual assault; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself and Mrs. LOWEY):

H.R. 4114. A bill to increase the United States financial and programmatic contributions to advancing the status of women and girls in low-income countries around the world, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Mr. LOBIONDO):

H.R. 4115. A bill to authorize the Secretary of the Interior to establish a program to inventory, evaluate, document, and assist efforts to preserve surviving United States Life-Saving Service stations; to the Committee on Resources.

By Mr. PETERSON of Minnesota:

H.R. 4116. A bill to require the Secretary of Agriculture to use funds of the Commodity Credit Corporation to provide emergency financial assistance to agricultural producers that have incurred income losses in calendar year 2001; to the Committee on Agriculture.

By Mr. RAMSTAD:

H.R. 4117. A bill to suspend temporarily the duty on certain filter media; to the Committee on Ways and Means.

By Mr. RAMSTAD:

H.R. 4118. A bill to suspend temporarily the duty on a certain polymer; to the Committee on Ways and Means.

By Mr. RYUN of Kansas:

H.R. 4119. A bill to amend title 10, United States Code, to authorize a voluntary leave sharing program for members of the Armed Forces; to the Committee on Armed Services.

By Mr. SPRATT:

H.R. 4120. A bill to suspend temporarily the duty on para ethylphenol; to the Committee on Ways and Means.

By Mr. SPRATT (for himself, Mr. CLYBURN, Mr. DEMINT, Mr. BROWN of South Carolina, Mr. GRAHAM, and Mr. WILSON of South Carolina):

H.R. 4121. A bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of tax-exempt bonds issued for the purchase or maintenance of electric generation, transmission, or distribution assets; to the Committee on Ways and Means.

By Mr. UPTON (for himself, Mr. HALL of Texas, Mr. TAUZIN, and Mr. BILIRAKIS):

H.R. 4122. A bill to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007 and to amend title XIX of that Act to extend the authorization of transitional medical assistance for 1 year; to the Committee on Energy and Commerce.

By Ms. WATERS:

H.R. 4123. A bill to amend the Higher Education Act of 1965 to establish student loan forgiveness programs for adult education instructors; to the Committee on Education and the Workforce.

By Ms. WATERS:

H.R. 4124. A bill to amend title VI of the Civil Rights Act of 1964 to apply to that title a burden shifting rule currently applicable to title VII; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H. Con. Res. 370. Concurrent resolution expressing the sense of the Congress that the United States should promote and support the use of sound science in management decisions made by the International Whaling Commission and remain diligent in their efforts to protect the ability of Native people of the United States, who have been issued quotas by the International Whaling Commission, to continue to legally harvest whales, and for other purposes; to the Committee on International Relations.

By Mr. BURTON of Indiana (for himself and Mr. RANGEL):

H. Res. 377. A resolution recognizing the Ellis Island Medal of Honor and commending the National Ethnic Coalition of Organizations; to the Committee on Government Reform. considered and agreed to.

By Mr. NEY:

H. Res. 378. A resolution permitting official photographs of the House of Representatives to be taken while the House is in actual session; to the Committee on House Administration.

By Mr. GEKAS:

H. Res. 379. A resolution providing that certain actions should be taken with respect to the actions of OPEC and other oil-exporting countries, and with respect to decreasing the dependency of the United States on foreign sources of oil; to the Committee on International Relations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWEENEY:

H. Res. 381. A resolution expressing the sense of the House of Representatives that a day ought to be established to bring awareness to the issue of missing persons; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

209. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 109 memorializing the United States Congress to enact legislation to permit states to promote long-term care insurance under Medicaid; to the Committee on Energy and Commerce.

210. Also, a memorial of the General Assembly of the State of Vermont, relative to

Joint Senate Resolution No. 248 memorializing the United States Congress to exercise the maximum effort possible, in coordination with the international relief agencies, to assure delivery of vital food supplies to the millions of starving people in Afghanistan; to the Committee on International Relations.

211. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 50 memorializing the United States Congress to support legislation to equalize reparations for Japanese of Latin American ancestry interned during World War II; to the Committee on the Judiciary.

212. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 5 memorializing the President and Congress of the United States to fully fund the Coast Guard's operational readiness and recapitalization requirements to ensure this humanitarian arm of our National Security remains Semper Paratus through the 21st century; to the Committee on Transportation and Infrastructure.

213. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 17 memorializing the President and Congress of the United States to urge the Congress of the United States to amend paragraph (4) of Section 143 (l) of the Internal Revenue Code of 1986 to read: ''(6) Qualified veteran—For purposes of this subsection, the term 'qualified veteran' means any veteran——(A) who meets such requirements as may be imposed by the State law pursuant to which qualified veterans' mortgage bonds are issued''; to the Committee on Ways and Means.

214. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 15 memorializing the President and Congress of the United States and the United States Border Patrol to proceed in a cooperative effort with the Mexican government through the working group on migrations and border safety to achieve a comprehensive examination of border safety and migration issues, an assessment of the impact of United States border initiatives, enhanced investigations and prosecutions of criminal gangs of smugglers, and increasing search and rescue operations along the border; jointly to the Committees on International Relations and the Judiciary.

215. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 213 memorializing the Congress of the United States, the Department of Defense, and the Department of State to increase efforts to account fully for American military personnel missing in action in southeast Asia; jointly to the Committees on International Relations and Armed Services.

216. Also, a memorial of the House of Representatives of the State of Maine, relative to a Joint Resolution memorializing the United States Congress to honor Maine victims of the September 11th tragedy; jointly to the Committees on the Judiciary and International Relations.

217. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 348 memorializing the United States Congress to help workers by considering the following provisions: extending federally funded unemployment compensation, where needed by 26 weeks; aiding workers by improving health care access by at least paying 75% of the COBRA health care costs and other health care assistance; aiding workers by fully funding targeted training and worker reemployment programs and taking such other actions to save personal homes and stabilize credit transactions; jointly to the Committees on Education and the Workforce, Energy and Commerce, and Ways and Means.

218. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 11 memorializing the United States Congress to express support and solidarity for actions taken as a result of the terrorist attacks launched against the United States on Tuesday, September 11, 2001; jointly to the Committees on the Judiciary, Armed Services, and Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 122: Mr. KINGSTON, Mr. PENCE, Mrs. CAPITO, Ms. ROS-LEHTINEN, Mr. MICA, and Mr. GIBBONS.

H.R. 144: Mr. CUMMINGS, Mr. KILDEE, Mr. ENGEL, and Ms. KAPTUR.

H.R. 168: Ms. DUNN.

H.R. 183: Mr. HOLDEN.

H.R. 218: Mr. GANSKE.

H.R. 250: Mrs. CLAYTON.

H.R. 280 Mr. BOOZMAN.

H.R. 303: Mr. LUTHER.

H.R. 360: Mr. WAXMAN and Mr. ABERCROMBIE.

H.R. 448: Mr. DOOLITTLE.

H.R. 488: Ms. SCHAKOWSKY, Mr. LYNCH, and Ms. WATSON.

H.R. 519: Mr. BISHOP.

H.R. 527: Mrs. BIGGERT.

H.R. 572: Mr. BONILLA and Mr. GEKAS.

H.R. 599: Mr. GRUCCI.

H.R. 628: Mr. BOYD, Mr. CRENSHAW, Mrs. THURMAN, Mr. MICA, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. DAVIS of Florida, Mr. DAN MILLER of Florida, Mr. GOSS, Mr. FOLEY, Mrs. MEEK of Florida, Ms. ROS-LEHTINEN, Mr. DEUTSCH, Mr. WEXLER, Mr. HASTINGS of Florida, and Mr. STEARNS.

H.R. 629: Mr. BOYD, Mr. CRENSHAW, Mrs. THURMAN, Mr. MICA, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. DAVIS of Florida, Mr. DAN MILLER of Florida, Mr. GOSS, Mr. FOLEY, Mrs. MEEK of Florida, Ms. ROS-LEHTINEN, Mr. DEUTSCH, Mr. WEXLER, Mr. HASTINGS of Florida, and Mr. STEARNS.

H.R. 630: Ms. WATSON.

H.R. 632: Ms. JACKSON-LEE of Texas and Ms. WATSON.

H.R. 638: Mrs. MORELLA.

H.R. 745: Ms. MCCOLLUM.

H.R. 747: Mrs. NAPOLITANO.

H.R. 781: Mr. MATHESON.

H.R. 786: Mr. LaTOURETTE and Ms. WATSON.

H.R. 817: Mr. CALVERT.

H.R. 827: Mr. BARCIA, Mrs. JOHNSON of Connecticut, Mr. GILMAN, Mr. ISRAEL, and Mr. SANDERS.

H.R. 831: Mr. GEKAS, Mr. JEFFERSON, Mr. HYDE, Mr. SAWYER, Mr. MICA, Mr. OTTER, Mr. GREENWOOD, Mr. WELDON of Florida, Mr. SMITH of New Jersey, and Mr. BAIRD.

H.R. 858: Mr. UDALL of Colorado.

H.R. 914: Mr. CANTOR.

H.R. 938: Ms. SLAUGHTER and Mr. HASTINGS of Florida.

H.R. 950: Mr. LEWIS of Kentucky.

H.R. 951: Mr. ORTIZ, Mr. DAVIS of Florida, Ms. DUNN, Mr. SKEEN, Mr. GREEN of Texas, Mr. SESSIONS, Mrs. CAPITO, Mr. WAMP, Ms. BROWN of Florida, Mr. HASTINGS of Florida, and Mr. DEFAZIO.

H.R. 952: Mr. GRAHAM.

H.R. 978: Mr. HONDA.

H.R. 1009: Mrs. KELLY.

H.R. 1043: Ms. WATSON.

H.R. 1111: Mr. ROTHMAN, Mr. LARSON of Connecticut, Mr. HOYER, and Mr. LANTOS.

H.R. 1177: Mr. GEKAS and Mr. PASCRELL.

H.R. 1181: Mr. FOLEY, Mr. HASTINGS of Washington, and Mr. LEACH.

H.R. 1184: Mr. NEAL of Massachusetts, Mr. FOSSELLA, and Mr. SNYDER.

H.R. 1213: Mr. HOBSON.

H.R. 1214: Mr. HOBSON.

H.R. 1255: Mr. SAWYER.

H.R. 1265: Mrs. MINK of Hawaii.

H.R. 1294: Ms. BROWN of Florida, Mr. KILDEE, Mr. FRANK, and Mr. UNDERWOOD.

H.R. 1295: Mr. HOEFFEL and Ms. WOOLSEY.

H.R. 1307: Mr. MEEHAN and Mr. PASCRELL.

H.R. 1324: Mr. BONIOR, Ms. BERKLEY, and Mr. FROST.

H.R. 1354: Mr. SIMMONS and Ms. WATSON.

H.R. 1360: Mrs. KELLY, Mr. WEINER, Mr. ENGEL, and Ms. BERKLEY.

H.R. 1433: Mr. MORAN of Virginia.

H.R. 1452: Mr. BERMAN.

H.R. 1460: Mr. CALVERT.

H.R. 1475: Mr. SIMMONS, Mr. GALLEGLY, Mr. DINGELL, Mr. SULLIVAN, and Mr. BACA.

H.R. 1520: Mr. BAIRD, Mr. HALL of Texas, Mr. GRUCCI, Mr. FRANK, and Mrs. ROUKEMA.

H.R. 1556: Mr. WAMP, Mr. JOHNSON of Illinois, Mr. REYES, Mr. LEVIN, Mr. DEMINT, Mr. NEY, Mr. JENKINS and Ms. SOLIS.

H.R. 1581: Mr. SHERWOOD, Mr. LUCAS of Oklahoma, Mr. BALLENGER, and Mr. BOEHLERT.

H.R. 1598: Mr. FRELINGHUYSEN.

H.R. 1624: Mr. RODRIGUEZ, Mr. LYNCH, Mr. CHAMBLISS, and Mr. DINGELL.

H.R. 1626: Mr. WELLER.

H.R. 1671: Mr. JACKSON of Illinois, Mr. LANGEVIN, and Ms. BROWN of Florida.

H.R. 1672: Mr. HALL of Ohio and Ms. WATSON.

H.R. 1673: Mr. KILDEE.

H.R. 1784: Mr. BALDACCI, Mr. OWENS, and Ms. WOOLSEY.

H.R. 1795: Mr. LINDER, Mr. ADERHOLT, Mr. BAIRD, Mr. RAMSTAD, Ms. MCCOLLUM, Mr. LEVIN, Mr. NUSSLE, and Mr. LARSON of Washington.

H.R. 1808: Mr. ROHRABACHER, Mr. OLVER, Mr. CONYERS, Mrs. CHRISTENSEN, and Ms. ROS-LEHTINEN.

H.R. 1810: Mr. ENGEL.

H.R. 1822: Mr. LEACH, Mr. GRAHAM, Mr. SMITH of Washington, Mr. LYNCH, Mr. COYNE, Mr. BOEHLERT, Mr. CROWLEY, Mr. OLVER, and Mr. CLEMENT.

H.R. 1830: Mr. ALLEN and Mr. KIND.

H.R. 1882: Mr. BISHOP.

H.R. 1904: Mr. FALEOMAVAEGA, Mr. SMITH of New Jersey, Ms. VELAZQUEZ, Mr. SABO, Mr. UDALL of Colorado, Mrs. MINK of Hawaii, Mr. NADLER, Mr. DAVIS of Florida, Mr. DOYLE, Mr. BARRETT, and Mr. BISHOP.

H.R. 1908: Mr. LAHOOD, Mr. OTTER, Mr. LUCAS of Kentucky, and Mr. ENGLISH.

H.R. 1911: Mr. WELLER.

H.R. 1935: Mr. HOLDEN, Mr. HOLT, Mr. SHUSTER, Mr. PASCRELL, Mr. RANGEL, Mr. GREENWOOD, Mr. CALVERT, Mr. TOM DAVIS of Virginia, Mr. MARKEY, Mr. OLVER, Mr. CONYERS, Mr. BORSKI, Mr. NEAL of Massachusetts, Mr. SHOWS, Mr. MORAN of Virginia, Mr. PETERSON of Pennsylvania, Mr. GILCHREST, Mr. HONDA, Mr. PENCE, Mr. PICKERING, and Mr. FROST.

H.R. 1978: Mr. GEORGE MILLER of California.

H.R. 2012: Mr. LIPINSKI, Mr. LARSEN of Washington, Mr. FOLEY, Mr. STENHOLM, Mr. MASCARA, Mr. CALVERT, Mr. BONILLA, Mr. PASCRELL, Mr. GEKAS, and Mr. MATHESON.

H.R. 2074: Mr. BROWN of Ohio.

H.R. 2125: Mr. SMITH of Texas, Ms. KAPTUR, Mr. TIAHRT, Mrs. MCCARTHY of New York, Mr. BORSKI, Mr. BONILLA, Mr. HINOJOSA, Mr. GREEN of Texas, Mr. RUSH, and Mr. DEMINT.

H.R. 2148: Mr. ABERCROMBIE.

H.R. 2161: Mr. SKELTON.

H.R. 2162: Mr. MENENDEZ.

H.R. 2163: Mr. DIAZ-BALART, Mr. PASTOR, Mr. DOYLE, Mr. MCNULTY, Mr. HASTINGS of

Florida, Mr. CARSON of Oklahoma, Mr. GORDON, Mr. FORBES, and Mr. INSLEE.

H.R. 2173: Mr. MARKEY, Mr. DINGELL, Mr. GREEN of Texas, and Ms. NORTON.

H.R. 2222: Mr. EVANS and Mr. REYES.

H.R. 2228: Mr. STUPAK.

H.R. 2230: Mr. PAYNE.

H.R. 2239: Mr. SANDERS.

H.R. 2290: Mr. ABERCROMBIE, Mr. SMITH of Washington, and Mr. HAYWORTH.

H.R. 2347: Mr. MANZULLO and Mr. LEACH.

H.R. 2378: Mr. GORDON.

H.R. 2405: Mr. OWENS.

H.R. 2419: Mr. PALLONE.

H.R. 2442: Mr. ACKERMAN and Mr. FORBES.

H.R. 2449: Mr. SIMMONS.

H.R. 2462: Mr. ANDREWS, Mr. GEKAS, Mr. HOLDEN, Mr. FOLEY, Mr. BONILLA, and Mr. COOKSEY.

H.R. 2487: Mr. HOLT, Mr. OWENS, and Mr. CLEMENT.

H.R. 2555: Mr. DAVIS of Florida.

H.R. 2569: Mr. GILLMOR.

H.R. 2570: Mr. BACA.

H.R. 2592: Mr. MCDERMOTT and Mr. UDALL of Colorado.

H.R. 2623: Mr. PALLONE, Ms. BROWN of Florida, and Mr. LYNCH.

H.R. 2624: Ms. WATSON, Mr. LYNCH, Mr. FOLEY, and Mr. HINCHEY.

H.R. 2629: Mr. ALLEN, Mr. CUMMINGS, Mr. BAIRD, Ms. CARSON of Indiana, Mr. ABERCROMBIE, Mr. PICKERING, and Mrs. TAUSCHER.

H.R. 2631: Mr. LATOURETTE and Mr. SHIMKUS.

H.R. 2637: Mrs. CAPITO and Mr. RAHALL.

H.R. 2649: Mr. NUSSLE, Mr. RYAN of Wisconsin, Mr. KANJORSKI, Mr. CRENSHAW, Mr. GORDON, and Mr. BACA.

H.R. 2663: Ms. DELAURO and Mr. TIERNEY.

H.R. 2695: Mr. CANNON and Ms. PRYCE of Ohio.

H.R. 2723: Mr. KNOLLENBERG.

H.R. 2725: Mr. SHERMAN.

H.R. 2726: Mr. DUNCAN, Mr. CALVERT, Mrs. CUBIN, Mr. COX, and Mr. TANCREDO.

H.R. 2740: Mrs. JOHNSON of Connecticut.

H.R. 2765: Mr. BOSWELL.

H.R. 2820: Mr. ORTIZ, Ms. SCHAKOWSKY, Mr. EHRLICH, Mr. LUCAS of Kentucky, Mr. GONZALEZ, Mr. SHUSTER, and Mr. HOLDEN.

H.R. 2868: Mr. MCNULTY, Mr. MORAN of Kansas, Mr. BACHUS, Mr. TIERNEY, and Mr. CLEMENT.

H.R. 2874: Mr. FALEOMAVAEGA, Mr. OWENS, and Mr. NADLER.

H.R. 2878: Ms. KAPTUR and Mr. FROST.

H.R. 2953: Ms. ROYBAL-ALLARD, Mrs. TAUSCHER, Mr. GIBBONS, Ms. SOLIS, Ms. WATSON, and Ms. BERKLEY.

H.R. 2974: Ms. MCCOLLUM, Mr. UDALL of New Mexico, Mr. POMEROY, Mr. WAXMAN, and Mr. MATHESON.

H.R. 3025: Mr. PASTOR and Mrs. MEEK of Florida.

H.R. 3087: Mr. GORDON.

H.R. 3113: Mr. HINOJOSA, Mr. CUMMINGS, Mrs. NAPOLITANO, Mr. BLAGOJEVICH, and Ms. ESHOO.

H.R. 3132: Mr. COSTELLO, Mr. INSLEE, Mr. BAIRD, Ms. BROWN of Florida, Mr. MORAN of Virginia, Mrs. TAUSCHER, Mr. DICKS, Mr. OLVER, Mr. MARKEY, and Ms. RIVERS.

H.R. 3139: Mr. NUSSLE.

H.R. 3186: Ms. MILLENDER-MCDONALD.

H.R. 3211: Mrs. BIGGERT.

H.R. 3231: Mr. KENNEDY of Minnesota, Ms. PRYCE of Ohio, and Mr. KELLER.

H.R. 3233: Mr. BRADY of Pennsylvania, Ms. MCKINNEY, and Mr. BACA.

H.R. 3238: Ms. CARSON of Indiana, Mr. BLAGOJEVICH, and Ms. RIVERS.

H.R. 3244: Mr. SESSIONS, Mr. DINGELL, Ms. MCCARTHY of Missouri, and Mr. LEACH.

H.R. 3267: Mr. BERMAN.

H.R. 3321: Mr. CHAMBLISS, Mr. JOHNSON of Illinois, and Mr. WILSON of South Carolina.

H.R. 3324: Mr. LANTOS, Ms. LEE, Mr. MEEHAN, and Ms. ROYBAL-ALLARD.

H.R. 3335: Mr. OWENS.

H.R. 3337: Mr. GORDON and Ms. HART.

H.R. 3351: Mr. CROWLEY, Mr. KNOLLENBERG, Mr. SIMMONS, Mr. SULLIVAN, and Ms. KAPTUR.

H.R. 3358: Mr. CAPUANO.

H.R. 3363: Mr. ROSS, Mr. BARRETT, Mr. GRAHAM, Mr. OSBORNE, Mr. BROWN of South Carolina, Mr. KILDEE, and Mr. KIRK.

H.R. 3389: Mr. CAPUANO, Mr. FILNER, Mr. SMITH of Washington, Mrs. THURMAN, Mr. MORAN of Virginia, Mr. BAKER, Mr. SCOTT, Mrs. MALONEY of New York, Mr. SCHROCK, Ms. MCKINNEY, Mr. PICKERING, Mr. OLVER, Mr. DEMINT, Mr. NORWOOD, Mr. HOLDEN, Ms. WOOLSEY, Mr. PASCRELL, Mr. TIERNEY, Ms. ESHOO, Mr. JEFFERSON, Mr. SHERMAN, and Mr. CHAMBLISS.

H.R. 3399: Mr. THOMPSON of California and Mrs. TAUSCHER.

H.R. 3414: Ms. HOOLEY of Oregon, Mr. FILNER, Mr. KILDEE, Ms. ROYBAL-ALLARD, Mr. CLAY, and Mr. TANCREDO.

H.R. 3430: Mr. KILDEE, Mr. FILNER, Mr. GORDON, Mr. JEFFERSON, Ms. KAPTUR, Mr. DEMINT, Mr. RANGEL, Mrs. MALONEY of New York, and Mr. FROST.

H.R. 3431: Mr. REYES, Mr. BARTON of Texas, Mr. BRYANT, Mr. SMITH of New Jersey, Mr. RAMSTAD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. JOHN, Mr. COYNE, Mr. BAIRD, Mr. NEAL of Massachusetts, Mr. MATHESON, Mr. SNYDER, Ms. RIVERS, Mr. BERRY, Mr. CAPUANO, Mr. ISAKSON, Mr. LEACH, Mr. BENTSEN, Mr. ROGERS of Michigan, Mr. LEVIN, Mr. PITTS, Mrs. THURMAN, Mr. MICA, and Mr. CARDIN.

H.R. 3450: Mr. NETHERCUTT, Mr. MENENDEZ, Mr. FARR of California, Mr. COOKSEY, Ms. RIVERS, Mr. BLAGOJEVICH, Mrs. MINK of Hawaii, Mr. BONIOR, Ms. ROYBAL-ALLARD, Mr. CARDIN, Mr. HOEFFEL, Mr. MCNULTY, and Mr. LEVIN.

H.R. 3462: Mr. MEEHAN, Mr. JOHN, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. STRICKLAND, Mr. TRAFICANT, Ms. HOOLEY of Oregon, Mr. FOLEY, Mr. GUTIERREZ, Mr. MCDERMOTT, and Mr. THORNBERRY.

H.R. 3464: Ms. ROYBAL-ALLARD, Mr. OLVER, Mr. HORN, Mrs. MINK of Hawaii, and Mr. CLYBURN.

H.R. 3494: Mrs. LOWEY.

H.R. 3512: Mr. RANGEL.

H.R. 3521: Mr. WAXMAN and Mr. LIPINSKI.

H.R. 3524: Ms. SOLIS, Ms. SCHAKOWSKY, Ms. WATSON, and Mr. RANGEL.

H.R. 3530: Mrs. JOHNSON of Connecticut.

H.R. 3569: Mr. TIAHRT, Mr. MURTHA, and Mr. BISHOP.

H.R. 3581: Ms. SCHAKOWSKY and Mr. PAYNE.

H.R. 3594: Mr. CARSON of Oklahoma.

H.R. 3597: Ms. SCHAKOWSKY.

H.R. 3616: Mr. FILNER, Mr. HOEFFEL, Mr. CLAY, Ms. MCKINNEY, Mr. HINCHEY, Ms. LEE, and Mr. STARK.

H.R. 3618: Mr. BOYD, Mrs. CLAYTON, Mr. BACHUS, Mr. COBLE, and Mr. Pickering.

H.R. 3628: Ms. BERKLEY, Mrs. JONES of Ohio, Ms. CARSON of Indiana, Mr. BLAGOJEVICH, Mr. WATT of North Carolina, Mr. RANGEL, and Mr. SERRANO.

H.R. 3639: Mr. FALEOMAVAEGA.

H.R. 3661: Mrs. DAVIS of California, Mr. LANTOS, Mr. HASTINGS of Washington, Mr. TANCREDO, and Mr. ROHRABACHER.

H.R. 3670: Mr. SMITH of Washington, Mrs. TAUSCHER, Mr. MCDERMOTT, Mr. RAHALL, Mr. BAIRD, Mr. ETHERIDGE, Mr. DAVIS of Illinois, and Mr. NORWOOD.

H.R. 3686: Mr. SHIMKUS and Mr. PAYNE.

H.R. 3694: Mr. SUNUNU.

H.R. 3710: Mr. LEACH, Mr. MCNULTY, Mr. REYES, Mr. WEXLER, and Ms. WOOLSEY.

H.R. 3713: Mr. WALDEN of Oregon and Mr. SANDERS.

H.R. 3715: Mr. SWEENEY.

H.R. 3731: Mr. UDALL of New Mexico and Mr. MILLER of Florida.

H.R. 3733: Ms. MCCOLLUM, Mrs. MINK of Hawaii, Mr. FALEOMAVAEGA, Mr. BACA, and Mrs. DAVIS of California.

H.R. 3741: Ms. RIVERS and Mr. HALL of Texas.

H.R. 3747: Mrs. MINK of Hawaii, Ms. DUNN, Ms. ESHOO, and Mr. DEFAZIO.

H.R. 3749: Mr. BONIOR, Ms. MCKINNEY, Mrs. JONES of Ohio, Mr. CASTLE, Ms. MILLENDER-MCDONALD, and Ms. BROWN of Florida.

H.R. 3763: Mrs. BIGGERT.

H.R. 3771: Mr. BACA and Mr. FILNER.

H.R. 3773: Mr. NEY and Mr. COBLE.

H.R. 3775: Mr. DOGGETT and Mr. FROST.

H.R. 3781: Mr. MCGOVERN, Mr. FILNER, Mr. ISAKSON, Mr. FATTAH, Mr. WAXMAN, Mr. FRANK, Mr. TAYLOR of Mississippi, Mr. HALL of Ohio, Ms. ROYBAL-ALLARD, and Mr. NADLER.

H.R. 3784: Mr. PLATTS, Mr. BROWN of South Carolina, Mr. WICKER, Mr. OLVER, Mr. SAWYER, Mr. MCINTYRE, Mr. BARRETT, Mr. KENNEDY of Rhode Island, Ms. MCCOLLUM, Mr. BENTSEN, Mrs. BIGGERT, Mr. WAMP, Mr. LANGEVIN, Mr. MOORE, Mr. EHLERS, Mr. JOHNSON of Illinois, Mr. LATOURETTE, Mrs. TAUSCHER, Mr. SNYDER, Mr. GILLMOR, Mr. PRICE of North Carolina, Mr. FARR of California, Mr. TAYLOR of Mississippi, and Mr. ETHERIDGE.

H.R. 3794: Mr. OWENS, Mr. STUPAK, Mr. CALVERT, Mrs. LOWEY, Mr. LATOURETTE, Mr. ANDREWS, Ms. BROWN of Florida, Mr. DICKS, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. MEEKS of New York Mr. EHRLICH, and Mr. BERMAN.

H.R. 3805: Mr. BARR of Georgia, Mr. HUNTER, Mr. SULLIVAN, and Mr. HAYES.

H.R. 3807: Mr. DAVIS of Illinois, Mr. FATTAH, Ms. KILPATRICK, Mr. WYNN, Mr. HILLIARD, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. BROWN of Florida, Ms. JACKSON-LEE of Texas, and Mr. CLAY.

H.R. 3808: Mr. GUTKNECHT, Mr. JONES of North Carolina, and Mr. ACEVEDO-VILA.

H.R. 3814: Mr. PRICE of North Carolina, Ms. KILPATRICK, Mr. BONIOR, and Mr. ISAKSON.

H.R. 3818: Mr. WATT of North Carolina, Mrs. CLAYTON, Mr. BLAGOJEVICH, Mrs. DAVIS of California, Mr. RANGEL, Mr. OWENS, Mrs. MEEK of Florida, Ms. KILPATRICK, Mr. FILNER, Mr. SANDERS, and Ms. ROYBAL-ALLARD.

H.R. 3825: Mr. FRANK, Mr. ROGERS of Michigan, Ms. HART, and Mr. DEUTSCH.

H.R. 3831: Mr. PAUL, Mr. KILDEE, Mr. PLATTS, Mr. SMITH of Washington, Ms. BROWN of Florida, Mr. MCGOVERN, Mr. HOLDEN, Mr. FALEOMAVAEGA, Mr. GORDON, Mr. DEMINT, Ms. HOOLEY of Oregon, Ms. BALDWIN, Mr. GILMAN, Mrs. JO ANN DAVIS of Virginia, Mr. BACA, and Mr. UNDERWOOD.

H.R. 3833: Ms. BROWN of Florida, Ms. HART, Mr. FOSSELLA, Mr. RUSH, Mr. GORDON, Mr. FLETCHER, and Mr. GREEN of Wisconsin.

H.R. 3839: Mrs. BIGGERT, Mr. GEORGE MILLER of California, and Mr. ROEMER.

H.R. 3840: Mr. KENNEDY of Rhode Island.

H.R. 3882: Mrs. CHRISTENSEN, Mr. WAMP, Mr. EHLERS, Mr. BOEHLERT, Mr. FRANK, Mr. MCINTYRE, Mr. SHAYS, Mr. TOWNS, Ms. GRANGER, Mr. SMITH of New Jersey, Mr. WOLF, Ms. WOOLSEY, and Mr. BRADY of Pennsylvania.

H.R. 3884: Mr. STUPAK.

H.R. 3887: Mr. ROTHMAN, Mr. ABERCROMBIE, Mr. SHERMAN, Mr. FILNER, Ms. SCHAKOWSKY, Mr. FARR of California, Ms. LEE, Mrs. CAPPS, Mr. OWENS, Mr. OLVER, Mr. STARK, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. FRANK, Mrs. TAUSCHER, Mr. BALDACCI, Mr. BLAGOJEVICH, Ms. RIVERS, Mr. WEXLER, Mr. WAXMAN, Mrs. LOWEY, Mr. HORN, Mr. GEORGE MILLER of California, Ms. WATSON, Mr. DEFAZIO, and Mr. SANDLIN.

H.R. 3894: Mr. KUCINICH, Mr. FALEOMAVAEGA, Mr. PASCRELL, and Ms. WOOLSEY.

H.R. 3898: Mr. BLUMENAUER.

H.R. 3906: Mr. BARTLETT of Maryland, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Ms. SCHAKOWSKY, and Mr. LANTOS.

H.R. 3912: Mr. PAYNE, Mrs. JONES of Ohio, and Mr. WEXLER.

H.R. 3915: Ms. SCHAKOWSKY, Mr. ACKERMAN, Mr. MCDERMOTT, Mr. BALDACCI, Mr. LYNCH, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Mr. SANDERS, and Ms. MCKINNEY.

H.R. 3916: Mr. SMITH of Washington, Mr. BLUMENAUER, Mr. BACA, Ms. MCKINNEY, Mr. SHAYS, Mrs. CAPPS, Ms. DELAURO, Mr. FRANK, Ms. LEE, Mr. LARSEN of Washington, Mr. MCGOVERN, Mr. WU, Ms. KAPTUR, and Mr. ABERCROMBIE.

H.R. 3917: Mrs. THURMAN, Ms. HART, Mrs. TAUSCHER, Mr. GEORGE MILLER of California, Mr. SERRANO, Mr. HOLT, Mr. SHUSTER, and Mr. KING.

H.R. 3932: Mrs. CAPPS, Ms. SCHAKOWSKY, Mr. LARSEN of Washington, Mr. KENNEDY of Rhode Island, Mrs. LOWEY, and Ms. ROYBAL-ALLARD.

H.R. 3946: Mr. PETRI.

H.R. 3955: Mrs. CHRISTENSEN.

H.R. 3956: Mr. BARRETT.

H.R. 3962: Mr. DUNCAN, Mr. DOOLITTLE, Mr. SKEEN, Mr. CANNON, Mr. WALDEN of Oregon, and Mr. HASTINGS of Washington.

H.R. 3974: Mr. WAMP, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. FATTAH, Ms. KILPATRICK, Mr. WYNN, Mr. HILLIARD, Mr. CLYBURN, Ms. LEE, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. BISHOP, Ms. BROWN of Florida, and Mr. CLAY.

H.R. 3975: Mr. NUSSLE.

H.R. 3983: Mr. DEFAZIO, Mr. BAIRD, and Mr. BEREUTER.

H.R. 3995: Mr. PETERSON of Minnesota, Mr. SIMMONS, Mr. SHOWS, Mr. GREEN of Texas, and Mr. BOEHLERT.

H.R. 4000: Mr. SMITH of New Jersey, Mrs. EMERSON, Mr. NORWOOD, Mr. RUSH, Mr. FILNER, Mr. COSTELLO, Mr. CUMMINGS, Mr. LYNCH, Mr. DICKS, Mrs. MINK of Hawaii, and Mr. PHELPS.

H.R. 4003: Mr. ENGEL.

H.R. 4014: Mr. MCGOVERN, Mr. HORN, Mr. SMITH of New Jersey, Ms. MCKINNEY, Mrs. MORELLA, Mr. WYNN, Mr. GREEN of Texas, Mr. TOWNS, Mr. FRANK, Mr. LYNCH, Mr. PALLONE, Ms. RIVERS, Mr. GEORGE MILLER of California, and Mrs. CAPPS.

H.R. 4017: Mr. BLUMENAUER, Ms. HARMAN, and Mr. LANTOS.

H.R. 4018: Mr. FILNER, Mr. GOODE, and Mr. FROST.

H.R. 4019: Mr. GIBBONS, Mr. KENNEDY of Minnesota, Mr. BAKER, Mr. MANZULLO, Mr. BARR of Georgia, Mr. CANTOR, and Mr. VITTER.

H.R. 4020: Mr. BARR of Georgia, Mr. CANTOR, and Mr. SIMMONS.

H.R. 4026: Mr. PENCE, Ms. BROWN of Florida, Mr. HALL of Ohio, and Mr. SCHAFFER.

H.R. 4032: Mr. KILDEE, Mr. MCNULTY, Mr. BROWN of Ohio, Mr. PALLONE, Mrs. MCCARTHY of New York, Ms. LEE, Ms. BROWN of Florida, Mr. WYNN, Mr. TOWNS, Ms. WATSON, Mrs. CLAYTON, Mrs. CHRISTENSEN, Ms. NORTON, Mr. STUPAK, Ms. MILLENDER-MCDONALD, Mr. NADLER, Ms. DELAURO, Mr. FILNER, Mr. LANGEVIN, Mr. GORDON, Mr. ACKERMAN, Mr. JACKSON of Illinois, Mr. KAPTUR, Mr. LYNCH, Mr. GRUCCI, Mr. HORN, Mr. SANDERS, and Ms. WOOLSEY.

H.R. 4034: Mr. RANGEL.

H.R. 4035: Mr. FRANK.

H.R. 4046: Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. DOOLEY of California, and Mr. HASTINGS of Florida.

H.R. 4066: Mr. SMITH of New Jersey, Mrs. MORELLA, Mr. PALLONE, Mr. BLAGOJEVICH, Mr. CRAMER, Mr. SHAYS, Mr. CROWLEY, Mr. LEACH, Mr. HORN, Mr. SAWYER, Mr. GILMAN, Mr. REYES, Mr. BONIOR, Mr. GRUCCI, Mr. FARR of California, Mr. ANDREWS, Mr. SIMMONS, Ms. WATSON, Mr. BLUMENAUER, Mr. SNYDER, Ms. BERKLEY, Mr. RUSH, Mr. DOYLE, Ms. NORTON, Mr. WAXMAN, Ms. KAPTUR, Mr. HINCHEY, Mr. TOWNS, Mrs. TAUSCHER, Mr. INSLEE, Ms. PELOSI, Mr. GREENWOOD, Mrs. MINK of Hawaii, Mr. MCDERMOTT, Ms. BROWN of Florida, Mr. MCGOVERN, Mr. SERRANO, Mr. MALONEY of Connecticut, Mr. BRADY of Pennsylvania, Mrs. THURMAN, Mr. COYNE, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. BORSKI, Mr. PAYNE, Mr. CLYBURN, Mr. LARSEN of Washington, Mr. CONYERS, Mr. OBERSTAR, Ms. RIVERS, Mr. KILDEE, Mr. MARKEY, Mr. HOLDEN, Mr. LANGEVIN, Mr. JEFFERSON, Mr. CUMMINGS, Mr. LARSON of Connecticut, Mr. MOLLOHAN, Mr. GILCHREST, Mrs. CAPPS, Ms. DELAURO, Mr. DAVIS of Florida, and Ms. KILPATRICK.

H.R. 4078: Mr. SCHAFFER.

H.J. Res. 6: Mrs. MALONEY of New York, Mr. ACKERMAN, and Mr. OWENS.

H.J. Res. 20: Mr. WICKER.

H.J. Res. 40: Mr. FRELINGHUYSEN.

H. Con. Res. 42: Mr. FOLEY, Ms. SCHAKOWSKY, Mr. GORDON, and Mr. CLAY.

H. Con. Res. 127: Mr. GILMAN, Mr. ENGEL, Mr. TOWNS, Ms. WATSON, Mr. SABO, Mr. CLAY, Mr. FROST, Ms. BROWN of Florida, Mr. FOSSELLA, Ms. NORTON, and Mr. OWENS.

H. Con. Res. 162: Mr. ROTHMAN.

H. Con. Res. 177: Mr. UDALL of New Mexico, Mr. PAYNE, Ms. WATSON, and Mr. WU.

H. Con. Res. 182: Mr. TOWNS, Ms. LEE, Mr. HASTINGS of Florida, Mr. CLAY, and Mr. DAVIS of Illinois.

H. Con. Res. 238: Mr. BILIRAKIS.

H. Con. Res. 268: Mr. COOKSEY.

H. Con. Res. 314: Mr. KERNS, Mr. SESSIONS, Mr. SCHROCK, Ms. BROWN of Florida, Mr. SHUSTER, Mr. MCGOVERN, Mr. HASTINGS of Florida, and Mr. FROST.

H. Con. Res. 315: Mr. RYUN of Kansas.

H. Con. Res. 316: Mr. SULLIVAN.

H. Con. Res. 317: Mr. BEREUTER.

H. Con. Res. 320: Mr. PALLONE, Mr. BROWN of Ohio, Mrs. THURMAN, Mr. BONIOR, Mr. SMITH of New Jersey, Mr. SNYDER, and Mr. BOEHLERT.

H. Con. Res. 340: Mr. ISAKSON, Mrs. JONES of Ohio, and Mr. BISHOP.

H. Con. Res. 346: Mr. MCGOVERN, Ms. PELOSI, Mr. FRANK, Mr. NADLER, Ms. LEE, Ms. SOLIS, Mr. LANTOS, Ms. WOOLSEY, Ms. BALDWIN, Ms. ROYBAL-ALLARD, and Mr. TOWNS.

H. Con. Res. 358: Mr. PICKERING, Mr. LANGEVIN, Mr. BORSKI, Mr. QUINN, Mr. ENGEL, Mr. STRICKLAND, Mrs. MORELLA, Mr. JOHN, Mr. MICA, Mr. BOOZMAN, Mr. MATSUI, Mr. WAXMAN, Mr. FATTAH, and Mr. HOSTETTLER.

H. Con. Res. 363: Mr. OTTER, Mr. BISHOP, Mr. OWENS, and Mr. HASTINGS of Florida.

H. Con. Res. 366: Mr. FALEOMAVAEGA.

H. Res. 105: Mr. OLVER and Mr. LANTOS.

H. Res. 117: Mr. RANGEL.

H. Res. 190: Mr. CARSON of Oklahoma.

H. Res. 197: Mr. SOUDER.

H. Con. Res. 363: Mr. HASTINGS of Florida, Mr. FALEOMAVAEGA, Mr. ACEVEDO-VILA, Mrs. CHRISTENSEN, Mr. SCHAFFER, Mr. RADANOVICH, Mr. WALDEN of Oregon, Mr. SIMPSON, Mr. OTTER, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. TAUZIN, Mrs. CUBIN, Mr. POMBO, Mr. GIBBONS, Mr. RAHALL, Mr. MCINNIS, Mr. HASTINGS of Washington, Mr. FLAKE, Mr. YOUNG of Alaska, and Mr. OSBORNE.

H. Res. 369: Mr. HONDA and Mrs. MYRICK.

PETITIONS, ETC.

Under clause 3 of rule XII,

54. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 604 petitioning the United States Congress to appropriate approximately $12 million to the North Rockland Central School District for the redevelopment of the Letchworth Development Center in Haverstraw and Stony Point, New York; which was referred to the Committee on Education and the Workforce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3925

OFFERED BY: MR. TOM DAVIS OF VIRGINIA

AMENDMENT NO. 1: At the end of section 3702 of title 5, United States Code (as contained in section 3(a) of the bill), add the following:

''(f) CONSIDERATIONS.—In exercising any authority under this chapter, an agency shall take into consideration—

''(1) the need to ensure that small business concerns are appropriately represented with respect to the assignments described in sections 3703 and 3704, respectively; and

''(2) how assignments described in section 3703 might best be used to help meet the needs of the agency for the training of employees in information technology management.

At the end of section 3704 of title 5, United States Code (as contained in section 3(a) of the bill), add the following:

''(d) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private sector organization may not charge the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee assigned to an agency under this chapter for the period of the assignment.

Insert after section 5 of the bill the following new section (and redesignate the succeeding section accordingly):

SEC. 6. REPORT ON THE ESTABLISHMENT OF A GOVERNMENTWIDE INFORMATION TECHNOLOGY TRAINING PROGRAM.

(a) IN GENERAL.—Not later January 1, 2003, the Office of Personnel Management, in consultation with the Chief Information Officers Council and the Administrator of General Services, shall review and submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate a written report on the following:

(1) The adequacy of any existing information technology training programs available to Federal employees on a Governmentwide basis.

(2)(A) If one or more such programs already exist, recommendations as to how they might be improved.

(B) If no such program yet exists, recommendations as to how such a program might be designed and established.

(3) With respect to any recommendations under paragraph (2), how the program under chapter 37 of title 5, United States Code, might be used to help carry them out.

(b) COST ESTIMATE.—The report shall, for any recommended program (or improvements) under subsection (a)(2), include the estimated costs associated with the implementation and operation of such program as so established (or estimated difference in costs of any such program as so improved).

H.R. 3925

OFFERED BY: MS. VELÁZQUEZ

AMENDMENT NO. 2: In section 3703 of title 5, United States Code (as contained in section 3(a) of the bill), insert after subsection (d) the following:

''(e) SMALL BUSINESS CONCERNS.—

''(1) IN GENERAL.—The head of each agency shall take such actions as may be necessary to ensure that, of the assignments made under this chapter from such agency to private sector organizations in each year, at least 20 percent are to small business concerns.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'small business concern' means a business concern that satisfies the definitions and standards specified by the Administrator of the Small Business Administration under section 3(a)(2) of the Small Business Act (as from time to time amended by the Administrator);

''(B) the term 'year' refers to the 12-month period beginning on the date of the enactment of this chapter, and each succeeding 12-month period in which any assignments under this chapter may be made; and

''(C) the assignments 'made' in a year are those commencing in such year.

''(3) REPORTING REQUIREMENT.—An agency which fails to comply with paragraph (1) in a year shall, within 90 days after the end of such year, submit a report to the Committees on Government Reform and Small Business of the House of Representatives and the Committees on Governmental Affairs and Small Business of the Senate. The report shall include—

''(A) the total number of assignments made under this chapter from such agency to private sector organizations in the year;

''(B) of that total number, the number (and percentage) made to small business concerns; and

''(C) the reasons for the agency's noncompliance with paragraph (1).

''(4) EXCLUSION.—This subsection shall not apply to an agency in any year in which it makes fewer than 5 assignments under this chapter to private sector organizations.

H.R. 3925

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 3: In the last sentence of section 3702(a) of title 5, United States Code (as contained in section 3(a) of the bill), strike the period and insert the following: '', and applicable requirements of section 3705 are met with respect to the proposed assignment of such employee.''.

In section 3702(d) of title 5, United States Code (as contained in section 3(a) of the bill), strike ''Assignments under this chapter'' and insert ''An assignment described in section 3704'', and strike '', except that no'' and insert ''. No''.

In section 3704(b) of title 5, United States Code (as contained in section 3(a) of the bill), strike ''and'' at the end of paragraph (2), redesignate paragraph (3) as paragraph (4), and insert after paragraph (2) the following:

''(3) may not have access to any trade secrets or to any other nonpublic information which might be of commercial value to the private sector organization from which he is assigned; and

In chapter 37 of title 5, United States Code (as contained in section 3(a) of the bill), insert after section 3704 the following new section (and make the appropriate conforming amendments):

''§ 3705. Federal Information Technology Training Program

''(a) ESTABLISHMENT.—In consultation with the Federal Chief Information Officer, the Chief Information Officers Council, and the Administrator of General Services, the Director of the Office of Personnel Management shall establish and operate a Federal Information Technology Training Program (in this section referred to as the 'Training Program').

''(b) FUNCTIONS.—The Training Program shall—

''(1) analyze, on an ongoing basis, the personnel needs of the Federal Government related to information technology and information resource management;

''(2) design curricula, training methods, and training schedules that correspond to the projected personnel needs of the Federal Government related to information technology and information resource management; and

''(3) recruit and train Federal employees in information technology disciplines, as necessary, at a rate that ensures that the Federal Government's information resource management needs are met.

''(c) AUTHORITY TO DETAIL EMPLOYEES TO NON-FEDERAL EMPLOYERS.—The Training Program may include a program under which a Federal employee may be detailed to a non-Federal employer. The Director of the Office of Personnel Management shall prescribe regulations for such program, including the conditions for service, length of detail, duties, and such other criteria as the Director considers necessary.

''(d) CURRICULA.—The curricula of the Training Program—

''(1) shall cover a broad range of information technology disciplines corresponding to the specific needs of Federal agencies;

''(2) shall be adaptable to achieve varying levels of expertise, ranging from basic nonoccupational computer training to expert occupational proficiency in specific information technology disciplines, depending on the specific information resource management needs of Federal agencies;

''(3) shall be developed and applied according to rigorous academic standards; and

''(4) shall be designed to maximize efficiency through the use of self-paced courses, online courses, on-the-job training, and the use of remote instructors, wherever such features can be applied without reducing training effectiveness or negatively impacting academic standards.

''(e) PARTICIPATION ENCOURAGED.—Subject to information resource management needs and the limitations imposed by resource needs in other occupational areas, agencies shall encourage their employees to participate in the occupational information technology curricula of the Training Program.

''(f) AGREEMENTS.—Employees who participate in full-time training at the Training Program for a period of 6 months or longer shall be subject to an agreement for service after training under section 4108 of title 5, United States Code.

''(g) COORDINATION PROVISION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this chapter, no assignment described in section 3703 may be made unless a program under subsection (c) has been established, and the assignment meets the requirements of such program.

''(2) REGULATIONS.—The Director of the Office of Personnel Management shall by regulation establish any procedural or other requirements which may be necessary to carry out this subsection.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Office of Personnel Management for developing and operating the Training Program, $7,000,000 in fiscal year 2003, and such sums as may be necessary for each fiscal year thereafter.